S.C.T.C. No. 5

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

(FOURTH LOK SABHA)

FOURTH REPORT

MINISTRY OF HOME AFFAIRS AND DEPARTMENT OF SOCIAL WELFARE

Reservations for Scheduled Castes and Scheduled Tribes in Public Services

LOK SABHA SECRETARIAT
NEW DELHI

January, 1970/Magh, 1891 (Saka)
Price : *Rs.* 1·50

LIST OF AUTHORISED AGENTS FOR THE SALE OF LOK SABHA SECRETARIAT PUBLICATIONS

Sl. No.	Name of Agent	Agency No.
	ANDHRA PRADESH	
1.	Andhra University General Cooperative Stores Ltd., Waltair (Visakhapatnam)	8
2.	G.R. Lakshmipathy Chetty and Sons, General Merchants and News Agents, Newpet, Chandragiri, Chittoor District.	94
	ASSAM	
3.	Western Book Depot, Pan BazarGauhati.	7
	BIHAR	
4.	Amar Kitab Ghar, Post Box 78, Diagonal Road, Jamshedpur.	37
	GUJARAT	
5.	Vijay Stores, Station Road, Anand.	35
6	The New Order Book Company, Ellis Bridge, Ahmedabad-6	63
	HARYANA	
7.	M/s. Prabhu Book Service, Nai Subzimandi, Gurgaon, (Haryana).	14
	MADHYA PRADESH	
8.	Modern Book House, Shiv Vilas Palace, Indore City.	13
	MAHARASHTRA	
9.	M/s. Sunderdas Gianchand, 601, Girgaum Road, Near Princess Street, Bombay-2	6
10.	The International Book House (Private) Limited, 9, Ash Lane, Mahatma Gandhi Road, Bombay-1.	22
11.	The International Book Service, Deccan Gymkhana, Poona-4.	26
12.	Charles Lambert & Company, 101, Mahatma Gandhi Road, Opposite Clock Tower, Fort, Bombay.	30
13.	The Current Book House, Maruti Lane, Raghunath Dadaji Street, Bombay-1	60
14.	Deccan Book Stall, Ferguson College Road, Poona-4.	65
15.	M/s. Usha Book Depot, 585/A, Chira Bazar, Khan House, Girgaum Road, Bombay-2 B.R.	5
	MYSORE	
16.	M/s. Peoples Book House, Opp. Jaganmohan Palace Mysore-1.	16
	RAJASTHAN	
17.	Information Centre, Government of Rajasthan, Tripolia, Jaipur City.	38
	UTTAR PRADESH	
18.	Swastik Industrial Works, 59, Holi Street, Meerut City.	2
19.	Law Book Company, Sardar Patel Marg, Allahabad-1.	42
	WEST BENGAL	
20.	Granthaloka, 5/1, Ambica Mookherjee Road, Belgharia, 24 Parganas.	10
21.	W. Newman & Company Ltd., 3, Old Court House Street, Calcutta.	44
22.	Firma K. L. Mukhopadhyay, 6/1A, Banchharam Akrur Lane, Calcutta-12.	82
23.	M/s. Mukherji Book House, 8-B, Duff Lane, Calcutta-6.	4

Sl. No.	Name of Agent	Agency No.
	DELHI	
24.	Jain Book Agency, Connaught Place, New Delhi.	11
25.	Sat Narain & Sons, 3141, Mohd. Ali Bazar, Mori Gate, Delhi.	3
26.	Atma Ram & Sons, Kashmere Gate, Delhi-6.	9
27.	J. M. Jaina & Brothers, Mori Gate, Delhi.	11
28.	The Central News Agency, 23/90, Connaught Place, New Delhi.	15
29.	The English Book Store, 7-L, Connaught Circus, New Delhi.	20
30.	Lakshmi Book Store, 42, Municipal Market, Janpath, New Delhi.	23
31.	Bahree Brothers, 188 Lajpatrai Market, Delhi-6.	27
32.	Jayana Book Depot, Chapparwala Kuan, Karol Bagh, New Delhi.	66
33.	Oxford Book & Stationery Company, Scindia House, Connaught Place, New Delhi—1.	68
34.	People's Publishing House, Rani Jhansi Road, New Delhi.	76
35.	The United Book Agency, 48, Amrit Kaur Market, Pahar Ganj, New Delhi.	81
36.	Hind Book House, 82, Janpath, New Delhi.	95
37.	Bookwell, 4, Sant Narankari Colony, Kingsway Camp, Delhi-9.	96
	MANIPUR	
38.	Shri N. Chaoba Singh, News Agent, Ramlal Paul High School Annexe, Imphal.	77
	AGENTS IN FOREIGN COUNTRIES	
39.	The Secretary, Establishment Department, The High Commission of India, India House, Aldwych, LONDON W.C.—2.	59

CORRIGENDA

Fourth Report of the Committee on the Welfare of Scheduled Castes & Scheduled Tribes (Fourth Lok Sabha)

Page	Para etc.	Line	For	Read
iii	Sl.No.23	-	Shri K.S. Vhavda	Sh. K.S. Chavda.
5	1.13	2	Liason	Liaison
11	1.21	1	backing	backlog
13	Foot-note	-	already	already started
24	2.13	against No.of Scheduled Caste Officers selected read '9'		
52	2.90	4	an	on
62	Table 2	add foot-note.		*All reserved pos could not be filled for want of Scheduled Castes/Tribes candidates.
73	Table item 6	last	add the Central Services	
104	Sl.No.5	4	any	and
106	Sl.No.8	2	given above	given in para 2.13 of the Report
116	Sl.No.38	4.5	Field of Scheduled Tribes	Field of Selection of Scheduled Castes and Scheduled Tribes.

CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
CHAPTER I—INTRODUCTORY	
A. Historical Background	1
B. High Power Committee	4
C. Liaison Officers	5
D. Cell in the Ministry of Home Affairs	11
E. Probe by Commissioner for Scheduled Castes and Scheduled Tribes	13
CHAPTER II—RESERVATION IN VACANCIES FILLED BY DIRECT RECRUITMENT	
A. Fixation of percentage of Reservations of Posts	18
B. Reservations at the initial Constitution of the Services	20
C. Maintenance of Rosters	25
D. Recruitment through Union Public Service Commission	29
E. Inclusion of Representatives of Scheduled Castes and Scheduled Tribes in Public Service Commission etc.	35
F. Stenographers' Service	36
G. Appointment of Scheduled Castes in the Vacancies reserved for Scheduled Tribes and *vice versa*	38
H. Nomination of Scheduled Castes and Scheduled Tribes against reserved Posts	39
I. In-Service Training	41
J. Confidence-building Course	43
K. Pre-examination Training Centres	45
L. Reservations of Posts in Institutions receiving Financial Assistance from Government	49
M. Publication of a Brochure regarding Reserved Posts and Advertisements in Newspapers	50
N. De-reservation of Posts	53
O. Forwarding of Applications of Scheduled Castes and Scheduled Tribes for Employment Elsewhere	58
P. Implementation of Orders of the Ministry of Home Affairs	60
Q. Representation of Scheduled Castes and Scheduled Tribes in Unions/Service Associations	64
CHAPTER III— RESERVATION IN POSTS FILLED BY PROMOTION	
A. Inclusion of Scheduled Caste/Tribe Officer in the Departmental Promotion Committee	65
B. Promotions by Selection Method	65

3106 (Aii) LS—1.

PAGE

C. Promotions on the Basis of Seniority . 67

D. Reservations in Union Territories . . . 69

E. Promotions by Transfer or Deputation . . . 70

APPENDICES

I. . Statement showing the recommendations made by the High Power Committee and the action taken/proposed to be taken by Government 73

II. . List of Ministries/Departments etc. where Liaison Officers have been nominated. 74

III. . . Ministry of Home Affairs Resolution No. 42/21/49-NGS dated the 13th September, 1950. 75

IV. . - . . Model Roster issued with Ministry of Home Affairs O.M. No. 1/13/63-SCT (I) dated the 21st December, 1967. 79

V. . Ministry of Home Affairs O.M. No. 16/1/66-Est (C) dated the 20th July, 1965 regarding Reservations for Scheduled Castes and Scheduled Tribes in service — Interviews for selection. 82

VI. . . Recommendations of Seminar on Employment of Scheduled Castes and Scheduled Tribes together with Comments of the Commissioner for Scheduled Castes and Scheduled Tribes. 84

VII. . . Number of cases of dereservations referred by various Ministries/Departments to the Ministry of Home Affairs during 1968. 91

VIII. . Number of cases of dereservations referred by various Ministries/Departments to the Ministry of Home Affairs during 1969 (upto 14th August). . . . 92

IX. . . O.M. No. 1/12/67-Ests (C) dated 11-7-1968 regarding reservations in posts filled by promotion. . . 93

X. . . Ministry of Home Affairs O. M. No. 16/8/69—Est. (SCT) dated 31-10-1969 regarding safe guards in the matter of promotion 99

XI. . . Statement showing the total number of Government employees and the number of Scheduled Castes and Scheduled Tribes amongst them under the Union Territories/Administrations. 100

XII. . . Summary of Conclusions/Recommendations contained in the Report. 102

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

Shri D. Basumatari—*Chairman*

MEMBERS

Lok Sabha

2. Shri P. C. Adichan
3. Sardar Buta Singh
4. Shri Benoy Krishna Daschowdhury
5. Shri Tulsiram Dashrath Kamble
6. Sri Baij Nath Kureel
7. Shri V. Mayavan
8. Shri Meetha Lal Meena
9. Shrimati Minimata Agam Dass Guru
10. Shri Dahyabhai Parmar
11. Shri Nanubhai N. Patel
12. Shri Ramji Ram
13. Shrimati B. Radhabai Ananda Rao
14. Shri Bhola Raut
15. Chawdhury Sadhu Ram
16. Shri B. Shankaranand
17. Shri Suraj Bhan
*18. Shri G. G. Swell
19. Shri Ramchandra Ulaka
20. Shri R. S. Vidyarthi

Rajya Sabha

21. Shri M. V. Bhadram
22. Shri Ganeshi Lal Chaudhary
23. Shri K. S. Vhavda
24. Shri B. T. Kemparaj
25. Shri B. D. Khobaragade
26. Shri Dayaldas Kurre
27. Shri Lokanath Misra
28. Shri Neki Ram
29. Shri E. M. Sangma
30. Shri Man Singh Varma.

SECRETARIAT

Shri B. K. Mukherjee—*Deputy Secretary*
Shri J. R. Kapur—*Under Secretary.*

---

*Resigned from the Committee with effect from December 9, 1969.

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf, present this Fourth Report on the Ministry of Home Affairs and Department of Social Welfare—Reservations for Scheduled Castes and Scheduled Tribes in Public Services.

2. The Committee took the evidence of the representatives of the Ministry of Home Affairs and the Department of Social Welfare on the 6th, 7th and 25th August, 1969. The Committee wish to express their thanks to the Secretary (Services) and Joint Secretary, Ministry of Home Affairs, Additional Secretary, Department of Social Welfare and Director General, Backward Classes Welfare, Department of Social Welfare and other officers of the Ministry of Home Affairs and the Department of Social Welfare for placing before them material and information they wanted in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on the 15th and 18th December, 1969.

4. A summary of conclusions|recommendations contained in the Report is appended (Appendix XII).

NEW DELHI;
January 27, 1970.
Magh 17, 1891 (*S*).

D. BASUMATARI,
Chairman,
Committee on the Welfare of Sheduled Castes and Scheduled Tribes.

CHAPTER I

INTRODUCTORY

A. Historical Background

Position before coming into force of the Constitution

1.1. From time immemorial, the Scheduled Castes have been economically dependent on the other castes and their employment has been restricted to comparatively less remunerative occupations. However, the Government of India did take some steps for their amelioration prior to independence. Realising the necessity of securing a fair degree of representation in public services for the depressed classes (described as Scheduled Castes in the Government of India Act of 1935), instructions were issued by Government in July, 1934 that the duly qualified candidates belonging to the Scheduled Castes should not be deprived of a fair opportunity of appointments in public services simply because they were not able to compete in an open competition. As it was difficult to get qualified candidates in sufficient numbers from amongst the Scheduled Castes because they were educationally backward, it was not considered necessary at that time to reserve a definite percentage of vacancies for them. The position was reviewed in 1942 and it was found that in spite of various measures adopted to secure increased representation of the Scheduled Castes in public services, the progress was very much unsatisfactory. Considering that the reservation of a definite percentage of vacancies in services for Scheduled Castes might provide the necessary stimulus to the candidates from these castes to equip themselves with better educational qualifications and thus become eligible for various posts, the Government issued orders in August, 1943 to reserve 8 1|3 per cent of vacancies for the Scheduled Castes. At the same time the maximum age limit for entry into Services was relaxed by 3 years and the fee prescribed for admission to an examination or selection in connection with the recruitment to Government posts was also reduced to 1|4th in their case. These orders were applied to Central Services (Class I and Class II) and the Sub-ordinate Services under the administrative control of the Government of India, with the exception of a few services and posts for which highly technical or special qualifications were required. In June, 1946, the percentage of vacancies reserved in favour of Scheduled Castes was raised from 8 1|3 per cent to 12 1|2 per cent.

1.2. After independence in August, 1947, the special representation rules for Scheduled Castes were revised. The reservation was continued at 12½ per cent in case of direct recruitment and in case of recruitment otherwise than by open competition it was raised to 16 2|3 per cent.

1.3. Government also examined the question of providing reservations in Central Services for Scheduled Tribes. It was felt that no useful purpose was likely to be served by providing such reservations since the members of those classes were two backward economically to be available in sufficient numbers for appointment to posts under Government. Instructions were, however, issued in December, 1947 that the appointing authorities should keep in view the desirability of recruiting suitable candidates from amongst the tribal people in vacancies reserved for other minorities to the extent to which suitable candidates were available, particularly in making recruitment from the States of Assam, Bihar, Central Provinces and Berar (now Madhya Pradesh) and Orissa. In July, 1949, further orders were issued which allowed to the tribals the age and fee concessions available to Scheduled Castes.

Constitutional Provisions

1.4. The relevant Articles of the Constitution regarding the reservation in posts and services under the Union and State Governments for Scheduled Castes and Scheduled Tribes are reproduced below:

> "16(4) Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State is not adequately represented in the services under the State."

> "335. The claims of the members of the Scheduled Castes and Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration in the making of appointments to services and posts in connection with the affairs of the Union or of a State."

Position after coming into force of the Constitution

1.5. The whole question of making reservations for Scheduled Castes and Scheduled Tribes and grant of other concessions to increase their representation in services was reviewed with the coming into force of the Constitution. The latest position in regard to the reservations in favour of Scheduled Castes and Scheduled

Tribes in the Central Government services and posts is as follows:—

Posts filled by Direct Recruitment:

	Scheduled Castes	Scheduled Tribes
(*i*) Direct recruitment on an all-India Basis.		
(*a*) By open competition (*i.e.* through U.P.S.C. or by means of open competitive test by any other authority).	12½%	5%
(*b*) Otherwise than at (*a*)	16-2/3%	5%
(*ii*) Direct recruitment to Class III and Class IV posts normally attracting candidates from a locality or a region.	Generally in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective State/ Union Territories.	

1.6. The above reservations do not apply to:

(i) Vacancies filled by transfer;

(ii) temporary appointments of less than 45 days' duration;

(iii) purely temporary establishments such as work charged staff including the daily-rated and monthly-rated staff; and

(iv) scientific and technical posts for conducting research for organising, guiding and directing research which are specifically exempted from the purview of the reservation orders in accordance with the orders on the subject.

Posts filled by Promotions

(i) Promotion through limited Departmental Competitive Examinations:—

There will be reservation at 12½ per cent and 5 per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examinations limited to departmental candidates within or to Class II, III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

(ii) Promotions by Selection methods:

(a) Class I and II appointments:

In promotions by selection from Class III to Class II, within Class II and from Class II to the lowest rung or category in Class I, the Scheduled Caste and Scheduled Tribe employees who are within the zone of consideration and are not considered unfit for promotion are given by the Departmental Promotion Committee, one grading higher than the grading otherwise assignable to them on the basis of their record of service. This concession is confined to only 25 per cent of the total vacancies in a particular grade of posts filled in a year from the Select List.

(b) Class III and IV appointments:

There will be reservation at 12½ per cent and 5 per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in or to Class III and Class IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

(iii) Promotions on the basis of Seniority subject to fitness:

There will be no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, but cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and Class II appoinments will be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class III and Class IV appointments will be reported within a month to the Minister or Deputy Minister concerned for information.

(iv) Appointments to posts filled by Deputation:

Whenever a Ministry|Department, etc., proposes to depute, in the public interest, an officer serving in or under them, to a post in or under another Ministry|Department, etc., the Scheduled Caste and Scheduled Tribe employees serving in or under the Ministry|Department concerned, who are eligible to be sent on deputation, may also be considered along with other eligible employees for such deputation.

B. High Power Committee

1.7. The Yardi Working Group in its Report (1967) had recommended as follows:—

> "Both in the Centre as well as in the States, it would be desirable to have a Committee to review the performance of the

Departments concerned in the matter of recruitment of Scheduled Castes in the different services."

1.8. It has been stated that in pursuance of the above recommendation, a Committee has been set up at the Centre under the Chairmanship of the Minister of Home Affairs, to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in the services|posts in or under the Government of India, Union Territories and Public Undertakings under the control of the Government of India.

1.9. The Committee have been informed during evidence that the said committee was constituted on the 27th June, 1968. Asked whether the Committee has submitted any reports, the representative of the Ministry of Home Affairs stated that, "The Committee does not submit any reports. Its terms of reference are to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in the services under the Government of India, Union Territories and Public Undertakings."

1.10. The Committee have also noted that the Deputy Minister of Home Affairs infomed Lok Sabha in reply to Starred Question No. 448 dated the 5th December, 1969 that two meetings of High Power Committee had been held till then. He also laid on the Table of the House a statement showing the recommendations made by the High Power Committee and the action taken|proposed to be taken thereon by Government, which may be seen at Appendix I.

1.11. The Committee welcome the constitution of the committee under the Chairmanship of the Minister of Home Affairs to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in the Services under the Government of India, Union Territories and Public Undertakings. The Committee hope that that committee would meet at regular intervals, submit its reports on its findings, suggest ways and means to remedy the situation and ensure the speedy implementation of its recommendations.

1.12. The Committee also desire that the recommendations made by that Committee together with action taken thereon by Government should be laid on the Table of Lok Sabha and Rajya Sabha.

C. Liaison Officers

1.13. The Committee have been informed that instructions with regard to the appointment of Liason Officers in all Ministries|Departments have been given in the Brochure issued by the Ministry of

Home Affairs with their Office Memorandun No. 1|2|61-SCT(I) dated the 27th April, 1962. The duties of the Liaison Officers have been stated to be as follows:—

"In each Ministry|Department, the Deputy Secretary incharge of administration (or any other officer designated for the purpose) will act as Liaison Officer in respect of matters relating to representation of Scheduled Castes and Scheduled Tribes in all establishments and services under the administrative control of the Ministry|Department. He will be specifically responsible for:

(I) ensuring due compliance by the subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them.

(ii) ensuring:

(1) submission by each appointing authority under the Ministry|Department to the Ministry|Department, an annual statement showing total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1st January;

(2) submission by each appointing authority under the Ministry Department to the Ministry|Department and to the Ministry of Home Affairs, an annual statement showing particulars of recruitment made during the calendar year and the numbers filled by Scheduled Castes and Scheduled Tribes; and

(3) scrutiny and consolidation of the above annual statement in respect of all establishments and services in and under the control of the Ministry|Department and sending the consolidated statements to the Ministry of Home Affairs.

(iii) acting as Liaison Officer between the Ministry/Department and the Ministry of Home Affairs for supply of other information, answering questions and queries and clearing doubts in regard to matters covered by reservation orders."

1.14. The Committee have been further informed that instructions were also issued to Ministries etc., by the Ministry of Home Affairs *vide* their Office Memorandum No. 16|17|67-Est.(C) dated the 10th

April, 1968 drawing their attention to the orders regarding appointment of Liaison Officers in Ministries|Department etc. for work relating to representation of Scheduled Castes and Scheduled Tribes. These instructions read as follows:

"The Commissioner for Scheduled Castes and Scheduled Tribes has made the following recommendation in his report for the year 1965-66:

'The Government of Gujarat have issued instructions to all the Heads of Departments and Officers that if any instance in which reservation orders are not followed comes to the notice of the State Government, the officers concerned will be held personally responsible for the omission. This salutary step should be taken not only by all other State Governments but also by the Government of India [Chapter 2, Recommendation No. (XIV)']

The above recommendation has been considered in the Ministry. The orders regarding reservation for Scheduled Castes and Scheduled Tribes in services issued by the Ministry from time to time are required to be strictly observed by all appointing authorities under the various Ministries. Also, officers of the rank of Deputy Secretary have been nominated by the Ministries and Departments to work as Liaison Officers who are in overall charge of the work relating to the special representation in their respective Ministries and attached and subordinate offices and are responsible for ensuring that the instructions in this behalf are strictly complied with. The duties of the Liaison Officers are given in para 33 of the Broachure issued with the Ministry of Home Affairs Office Memorandum No. 1|2|61-SCT(I), dated the 27th April, 1962. The Ministries|Departments were also informed in the Ministry of Home Affairs demi-official letter No. 29|47|66-Ests(C), dated the 13th December, 1966 that it would be the responsibility of each Ministry|Department etc. to scrutinize the annual statements in Appendix 9 to the Brochure showing particulars of recruitment made and the numbers filled by members of Scheduled Castes and Scheduled Tribes, in respect of the attached and subordinate offices under the respective Ministry|Department etc. and that Liaison Officers in each Ministry|Department should, with reference to para 33 of the Brochure, ensure, that these statements are scrutinized in the Ministry|Department and errors, if

any, are intimated to the offices concerned for necessary rectification. After considering the recommendation of the Commissioner referred to above, it has been decided that the system of nominating Liaison Officers should be extended to Heads of Departments also. Accordingly, the Ministry of Finance etc. are requested to direct that in offices under the control of each Head of Department also, a Liaison Officer is nominated for work relating to representation of Scheduled Castes and Scheduled Tribes in such offices. The duties of the Liaison Officers to be nominated would be the same as in the case of Liaison Officers in the Ministry|Department at present mentioned above in respect of the offices under their charge. The present system of nominating Liaison Officer in each Ministry|Department for the Ministry|Department proper and all its attached and subordinate offices would, of course, continue, for purpose of liaison work between the Ministry|Department and the Ministry of Home Affairs."

1.15. A statement showing the action taken on the said recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes was also furnished to the Department of Social Welfare and the Commissioner for Scheduled Castes and Scheduled Tribes on the 2nd May, 1968. Relevant extracts from the statement are reproduced below:—

"This recommendation implies that if the existing orders regarding reservations for Scheduled Castes and Scheduled Tribes are not followed, the official concerned, who is responsible for the omission should be considered liable and disciplinary action will be taken against him. The orders regarding reservations for Scheduled Castes and Scheduled Tribes issued by the Home Ministry from time to time are required to be strictly observed by all recruiting authorities. Moreover, officers of the rank of Deputy Secretary have been nominated by the Ministries and Departments to work as Liaison Officers who are in overall charge of the work relating to the special representation in their respective Ministries and attached and subordinate offices and are responsible for ensuring that instructions in this behalf are strictly complied with. The question of extending the system of nominating Liaison Officers to Heads of Departments is under consideration. The State Governments would also be advised accordingly."

1.16. It has been stated that all Ministries|Departments have nominated Liaison Officers. A statement showing the names of the Ministries who have intimated the names of the Liaison Officers nominated by them is given at Appendix II.

1.17. The Committee have been informed during evidence that the Liaison Officers appointed in the Ministries are doing their work reasonably well. It is the duty of the Liaison Officer to ensure that the reserved vacancies are filled by the Scheduled Castes and Scheduled Tribes. There may be shortcomings here and there. There may also be cases of favouritism between Scheduled Caste and Scheduled Tribe candidates themselves. But as far as the totality is concerned, as long as 12½ per cent and 5 per cent vacancies are filled by Scheduled Castes and Scheduled Tribes candidates respectively, it could be assumed that the Liaison Officers have not been failing in their duty.

1.18. In reply to a question, the representative of the Ministry of Home Affairs has stated that it is expected from the Ministries| Departments that they would appoint those persons as Liaison Officers who are sympathetic to the Scheduled Caste and Scheduled Tribe employees. Asked whether it would be worthwhile to appoint a separate Liaison Officer in each Ministry and Department for watching the interests of the Scheduled Caste and Scheduled Tribe employees exclusively and not combine his functions with those of administration or any other work, the Committee have been informed that the work of the Liaison Officer *vis-a-vis* the Scheduled Caste and Scheduled Tribe employees is not so much as to necessitate the appointment of a separate Liaison Officer for that work only. Even if a separate Liaison Officer is appointed for the purpose, he would have to be of lower status and that would not serve any purpose.

1.19. Asked whether the Liaison Officers could report directly to the Commissioner for Scheduled Castes and Scheduled Tribes about the grievances of the Scheduled Caste and Scheduled Tribe employees, the representative of the Ministry has stated that it involves a question of discipline in administration inasmuch as disciplinary rules require that the Head of the Department should be informed about all such matters so that he could initiate necessary corrective measures. The Deputy Secretary or the Liaison Officer must bring such cases to the notice of the Secretary of the Department and it is for him to see that such grievances are redressed. It would cut across the lines of the responsibility if any authority

subordinate to the Secretary of the Department is allowed to approach any outside authority. The Liaison Officer must be responsible to the Head of the Department only. Asked if the Liaison Officer who disagrees with the Head of the Department could report to the Commissioner for Scheduled Castes and Scheduled Tribes about the lapse, the representative of the Ministry has stated that this is not possible. He has further stated that it is for the Head of the Department to decide the relevant issue and his decision is final. However, a Scheduled Caste and Scheduled Tribe employee, if he feels agrieved, could make a representation to the Liaison Officer directly. He is also free to go to the Commissioner.

1.20. Asked whether there is any evaluation system or Evaluation Committee to look into the work of the Liaison Officers and to ensure that they are performing their duties properly, the representative of the Ministry has informed the Committee that this could be judged from the figures of Scheduded Caste and Scheduled Tribe employees in the Services. Every year there has been an increase in the number of Scheduled Caste employees but there is a backlog to carry. For example in the case of Class I Officers, the percentage of Scheduled Caste employees has gone upto 1.54 in 1964, 1.64 in 1965 and 1.77 in 1966. Similarly, about Class II Officers, it is 2.61, 2.78, 2.82 and 3.25 in 1963, 1964, 1965 and 1966 respectively. He has admitted that the arrangement in the past was not satisfactory, but during the last five or six years there has been no lapse in respect of reservations for Scheduled Castes. So far as Scheduled Tribes are concerned, percentage of Scheduled Tribe Employees in Class I has gone up from 0.23 per cent in 1963 to 0.52 per cent in 1966. In the case of Scheduled Tribes especially, it is not possible to get as large a number of candidates as the Ministry would like to get. Scheduled Tribes are not interested in Class III and Class IV posts. The representative of the Ministry has further stated that the Government of India posts are scattered all over the country and it is not known why the Scheduled Tribes have not been coming forward.

1.21. The Committee note that in consonance with the instructions issued by the Ministry of Home Affairs all the Ministries| Departments have since appointed Liaison Officers to ensure due compliance by the appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them. The Committee observe that there has been insignificant improvement in regard to the employment of Scheduled Castes and Scheduled Tribes in Class I and Class II services during the period 1964—66 and there is still, according to the Ministry's

own admission, a backing to carry. So far as Class III posts are concerned, the position is still worse in spite of the fact that there is no dearth of suitable candidates. The Committee would like to stress that it should be the responsibility of the appointing authorities|Liaison Officers to see that the instructions issued by the Ministry of Home Affairs in the matter of reservation of posts are scrupulously observed. In case any instance of non-observance of the orders comes to the notice of the Ministry of Home Affairs, the appointing authorities|Liaison Officers concerned should be held personally responsible for the lapse.

D. Cell in the Ministry of Home Affairs

1.22. The Yardi Working Group in its Report (1967) recommended as follows:—

> "In any assessment of the nature and dimensions of the problems leading to non-selection of Scheduled Caste candidates, accurate statistics are necessary. A cell should be set up in the Ministry of Home Affairs and entrusted with the responsibility of collecting the necessary information from the Central and State Governments and public sector undertakings. This cell should maintain a close liaison with the Commissioner for Scheduled Castes and Scheduled Tribes."

1.23. It has been stated in a note furnished to the Committee that in pursuance of the above recommendation, ".... a Cell has been created in the Ministry of Home Affairs to collect statistical information regarding representation of Scheduled Castes and Scheduled Tribes from the Central and State Governments and Public Sector Undertakings. The Cell also deals with the complaints or grievances of Scheduled Castes and Scheduled Tribes which are of a general nature. Specific cases of complaints or grievances of Scheduled Castes|Tribes employees received in the Cell are investigated whenever necessary. The comments of the concerned Ministry|Department|Officer are called for by the Cell and action is taken as found necessary. Besides, Liaison Officers appointed in each Ministry etc. are also expected to look into any complaints received by them."

1.24. In reply to a question, it has been stated that the Cell was set up on the 25th July, 1968. The Cell also maintains a close liaison with the Bureau of Public Enterprises in regard to the policies relating to appointments of Scheduled Castes and Scheduled Tribes in Public Sector Undertakings.

1.25. Asked whether the Cell has brought out any publications giving a resume of its activities, it has been stated in a note submitted to the Committee that the Cell, which is a year old, has not

brought out any publications giving a resume of its activities. But a *brochure containing detailed information about the facilities| concessions provided to Scheduled Castes and Scheduled Tribes in the matter of their appointment in various services|posts under the Central Government has been prepared and is under print.

1.26. The Committee desired to know the nature of the complaints which have been received by the Cell from the Scheduled Castes and Scheduled Tribes and the action taken thereon. In a note submitted to the Committee it has been stated that "Occasionally complaints regarding violation of reservation orders for Scheduled Castes and Scheduled Tribes in services are received in the Cell and these are examined. The Commissioner for Scheduled Castes and Scheduled Tribes also makes references to this Cell about complaints from individual employees of Scheduled Castes and Scheduled Tribes. These complaints usually pertain to fixation of seniority, confirmation, provision of reservation in certain services and posts, etc. In such cases, the facts are obtained from the Ministries|Departments concerned and necessary advice is tendered to them so that if any injustice is done to any Scheduled Caste or Scheduled Tribe employee, it is set right."

1.27. Asked whether it is verified that the figures mentioned in the returns being received by the Cell are correct, the representative of the Ministry of Home Affairs has stated during evidence that the Cell has received the first returns only so far since its inception in July, 1968. The Secretary of the concerned Ministry is responsible for the accuracy of the figures. He also scrutinises the figures before sending the returns to the Cell. The Cell only looks into the total figures to ensure that the requisite percentages are being maintained and it does not go into the individual figures.

1.28. Asked whether instructions have been issued to other Ministries|Departments to open similar Cells under them, the representative of the Ministry of Home Affairs has stated that instructions have been issued that in different Ministries there should be Cells specifically charged with this responsibility and that the Cell is to work under the Liaison Officer nominated by the Ministry.

1.29. In reply to a question whether there is such a Cell in the Department of Social Welfare also, the Department of Social Welfare has in a note to the Committee stated:

> "At present there is no separate Cell for dealing with complaints and grievances of the Scheduled Castes and Sche-

*At the time of factual verification, the Ministry of Home Affairs has started as follows :—

"The Brochure on reservations for Scheduled Castes and Scheduled Tribes prepared by the Ministry of Home Affairs has since been printed."

duled Tribes people in the Department. However, one of the sections, namely, OVC Section in the Department is dealing with, besides other things, the complaints and grievances received from outside public, including Scheduled Castes and Scheduled Tribes. Another Section (co-ordination) is dealing with various instructions contained in the different orders issued by the Government of India from time to time regarding reservation for Scheduled Castes and Scheduled Tribes. In order to have an effective implementation of various reservation orders for the Scheduled Castes and Scheduled Tribes, a proposal to set up a separate Cell in the Department is under consideration."

1.30 The Committee note that a Cell has been set up in the Ministry of Home Affairs to collect statistical information regarding representation of Scheduled Castes and Scheduled Tribes in Public Services as well as to look into their complaints or grievances of general nature. The Committee also note that instructions have been issued to other Ministries|Departments to set up similar Cells under them. They would like the Ministry of Home Affairs to ensure that Cells are set up in each Ministry|Department immediately. In this connection they are unhappy to learn that no such Cell* has so far been established even in the Department of Social Welfare which is the principal Department concerned with the Welfare of Scheduled Castes and Scheduled Tribes.

1.31. The Committee also suggest that the Ministry of Home Affairs should lay down the charter of duties of such Cells so that they could function on proper and systematic lines from the very beginning. A note about the activities of the Cell should be included in the Annual Reports of the concerned Ministries|Departments.

E. Probe by Commissioner for Scheduled Castes and Scheduled Tribes

1.32. The Commissioner for Scheduled Castes and Scheduled Tribes, in his Report for the year 1963-64, has observed as follows:—

"It is necessary that the relevant records relating to complaints alleging breach of safeguards in service matters should be made available to the Commissioner. It is hoped that the Government will examine, if necessary, in consultation with the Ministry of Law, the possibility of making available the records in order to enable the Com-

*At the time of factual verification, the Department of Social Welfare has started as follows :—

". . . a cell has already functioning directly under Deputy Secretary Administration)."

missioner to perform satisfactorily the duties imposed on him by Article 338 of the Constitution (Para 20.17 of the Report)".

1.33. The Committee understand that this question was under correspondence between the Commissioner for Scheduled Castes and Scheduled Tribes, Ministry of Home Affairs and the Department of Social Welfare since 1962. In a reference made by the Assistant Commissioner for Scheduled castes and Scheduled Tribes to the Ministry of Home Affairs *vide* his letter No. 253|62-Dev-I, dated 2nd April, 1962, it has been stated as follows:—

" . . . this office is invariably approached on behalf of Scheduled Caste and Scheduled Tribe employees or candidates for jobs or redress of their grievances. Most of these grievances relate to the failure on the part of the appointing authorities to implement the various orders issued by the Government of India regarding representation of Scheduled Castes and Scheduled Tribes in services. Non-implementation of the aforesaid orders of the Government tantamounts to a breach of a safeguard provided in the Constitution for Scheduled Castes and Scheduled Tribes and as such it is the bounden duty of the Commissioner to investigate into the complaints relating to service matters. Hithertofore, the Commissioner, if and when he finds it necessary to do so, has been writing to the concerned authorities to elicit the true facts of the cases. Experience, however, shows that such complaints can be properly investigated only if the Commissioner has access to the relevant records of the Office concerned. I am, therefore, to request you kindly to let us know whether the Commissioner would be competent to call for such records. If not, we would be grateful for your advice as to what procedure should be followed to get at the truth of the complaints."

1.34. In the reply sent by the Ministry of Home Affairs to the Assistant Commissioner for Scheduled Castes and Scheduled Tribes *vide* their letter No. 14|7|62-CT-I, dated the 31st August, 1E62 it has been stated as follows:—

"The Constitution has imposed on the Commissioner the duty of investigating, and reporting on the working of the safeguards provided for Scheduled Castes and Scheduled Tribes under the Constitution, and the Central and State Governments must provide the Commissioner facilities,

and furnish to him information which the Commissioner requires for performing his duties. The Central Government have, in fact, been anxious to do so.

It, however, seems to Government that the Commissioner might be hampered in the discharge of his wider responsibilities if he were to undertake direct investigation of individual cases or were to permit himself to be used as an agency for the redress of individual grievances.

Orders regarding reservation of posts have been issued by the Central Government and State Governments keeping in view the principles enunciated in Article 335. The Commissioner may review the manner in which those orders are being given effect to, and seek from the Department| State Government concerned information which he considers necessary for the purpose. He may also invite the Government to make a closer investigation when on the facts reported to him, it appears that there had been failure to give effect to the relevant orders in a particular case or cases; and he may ask to be apprised of the result of the investigation. But it should not be necessary, and may not even be appropriate for him to call for official files . . . when selections are made by the Union Public Service Commission, it would be particularly inadvisable to raise any questions regarding their correctness."

1.35. The Commissioner for Scheduled Castes and Scheduled Tribes again referred the matter to the then Minister of Law and Social Security *vide* his D.O. No. 16|1|65-D, dated the 22nd July 1965 with which he forwarded a note on the subject for consideration of the Minister. Relevant extracts from the said note read as follows:—

"Under article 338 of the Constitution, I am required to 'Investigate' the working of the safeguards provided in the Constitution for the Scheduled Castes|Tribes. Almost daily I am approached on behalf of the Scheduled Caste|Tribe employees of the Government or candidates for jobs, for the redress of their grievances. Most of these grievances relate to the failure on the part of the appointing authorities to implement the orders issued by the Government of India relating to the representation of the Scheduled Castes|Tribes in services under the State.

Some time back we requested the Ministry of Home Affairs to let us know whether I am competent to call for such

records, since Article 338 expects me to *investigate* into such complaints and not merely to make a formal enquiry by means of correspondence with the authorities concerned. The Ministry of Home Affairs' advice was that it might not be appropriate to call for official files in such cases as such a procedure is likely to be taken by the authorities concerned as indicating distrust. I am afraid this view held by the Ministry of Home Affairs does not appear to be in keeping with the requirements of Article 338 of the Constitution. If I have to do justice to the duties imposed on me, I should be in a position to investigate into the breach of safeguards thoroughly and to my satisfaction. In my opinion, it is necessary to consult the relevant files.

As the Minister is aware, there have been complaints from all-quarters that despite the reservation orders in favour of the Scheduled Castes|Tribes, the posts reserved for them are being allowed to be dereserved even though qualified candidates from these communities are available . . . I confess that it has not been possible for me because of the procedural difficulties indicated above, to know exactly why these qualified candidates could not be found suitable for appointment against reserved posts."

1.36. The Committee note that in spite of repeated reminders sent by the Commissioner for Scheduled Castes and Scheduled Tribes to the Department of Social Welfare between 1966 and 1969, the Department of Social Welfare has not sent any reply to the above letter of the Commissioner.

1.37. When this question was raised during evidence before the Committee, the representative of the Department of Social Welfare has stated as follows:—

"As far as the Department of Social Welfare is concerned, there is no difficulty. But what has been troubling the Commissioner is the general question whether he can make an investigation, and if he goes for the investigation whether the records are made available. Actually, we did examine in consultation with the Ministry of Law and there is no difficulty about it excepting in rare cases when there is some police enquiry or when there is a High Court case. These are very rare cases where the Government finds it difficult. But in general, there should be no

difficulty and there has been no difficulty in making records available to them, and we are clarifying this through instructions."

1.38 He has further stated:—

"There is no imputation that anybody has refused him any record that the Commissioner for Scheduled Castes and Scheduled Tribes has asked for. It is necessary for him to exercise his functions. So far there is no complaint that he has asked for any record which has been refused to him. Naturally, all the Departments respect his authority and his constitutional functions."

1.39 The Committee regret to observe that it has taken more than seven years to arrive at a decision whether the Commissioner for Scheduled Castes and Scheduled Tribes could call for the records from the Ministries|Departments to investigate the complaints of the Scheduled Caste and Scheduled Tribe employees about the proper implementation of the various orders issued by Government regarding representation of Scheduled Castes and Scheduled Tribes in Public Services. They also regret that the Department of Social Welfare has paid no attention towards this important issue even though the Commissioner for Scheduled Castes and Scheduled Tribes has issued several reminders to them in the matter. The Committee suggest that Government should issue a directive to the various Ministries|Departments that they should invariably make available to the Commissioner for Scheduled Castes and Scheduled Tribes the necessary records for investigation of the Complaints of the Scheduled Caste and Scheduled Tribe employees about the non-implementation of the orders of the Government of India.

CHAPTER II

RESERVATIONS IN VACANCIES FILLED BY DIRECT RECRUITMENT

A. Fixation of percentage of reservations of posts

2.1 The Committee have been informed that the following reservations were prescribed for Scheduled Castes and Scheduled Tribes in services under the Government of India *vide* Ministry of Home Affairs Resolution No. 42/21/49-NGS, dated the 13th September, 1950 which may be seen at Appendix III. These reservations were fixed pending the determination of the figures of population at the Census of 1951.

> "*Scheduled Castes*: The existing reservation of 12½ per cent vacancies filled by direct recruitment in favour of the Scheduled Castes will continue in the case of recruitment of posts and services made, on an all India basis, by open competition *i.e.*, through the Union Public Service Commission or by means of open competitive tests held by any other authority. Where recruitment is made otherwise than by open competition the reservation for Scheduled Castes will be 16 2/3 per cent as at present.
>
> *Scheduled Tribes*: Both in recruitment by open competition and in recruitment made otherwise than by open competition there will be reservation in favour of members of Scheduled Tribes of 5 per cent of the vacancies filled by direct recruitment.
>
> Reservation of 5 per cent of the vacancies for Scheduled Tribes in recruitment made on an all India basis was fixed taking into account the factors of population percentage as also the availability of Scheduled Tribe candidates to fill reserved vacancies."

2.2. The representative of the Ministry informed the Committee during evidence that while it was not possible, nor necessary, to stick strictly to the population criteria for providing reservations in services for Scheduled Castes and Scheduled Tribes, the percentage so fixed would be roughly nearabout the percentage of their population. There was no strict relationship between population and percentage for reservation. Population was nonetheless a guide for

fixing reservations and it was taken into account. He further stated that in open competition 12½ per cent reservation for Scheduled Castes in services was considered to be adequate. It was felt that this was reasonable from the point of view of efficiency required in higher services. However, the matter was being placed before a High Power Committee. Asked to state why no decision had so far been taken in the matter, the representative of the Ministry stated that the Lists of Scheduled Castes and Scheduled Tribes were now under revision and the relevant Bill was before Parliament. The moment these Lists were revised, the whole question would be reconsidered.

2.3 The Committee note that the population of Scheduled Castes and Scheduled Tribes based on the last two Censuses is as follows:—

Census	Total Population	Population of Scheduled Castes/ Tribes	Percentage
Scheduled Castes:			
1951 . .	36,11,51,669	5,53,27,021	15·32
1961 .	43,90,72,582	6,44,17,366	14·67
Scheduled Tribes:			
1951 . .	36,11,51,669	2,25,11,854	6·23
1961 . .	43,90,72,582	2,98,79,249	6·80

2.4 In this connection, the Commissioner for Scheduled Castes and Scheduled Tribes, in his Seventeenth Report (1967-68), has observed as follows:—

"It should also be possible for Government to increase the percentage by reserving more than 12½ per cent of the future vacancies so that the shortfalls in the various services may be made good at an early date. This should be possible without any difficulty, because according to the Supreme Court's Judgement, Government is competent to reserve posts upto 50 per cent of vacancies in a recruitment year. Besides, in view of the present inadequate representation, there appears no reason why the reserved vacancies in any service or grade should at all be allowed to lapse, as is the case at present. The intention underlying the relevant provisions of the Constitution is to afford adequate representation to these communities in the various services, subject to the maintenance of efficiency, as mentioned in Article 335 of the Constitution, which lays down that 'The claims of the members of the Scheduled Castes and Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appoint-

ments to services, and posts in connection with the affairs of the Union or a State.' To achieve this objective, it is necessary to give them representation according, at least, to their percentage in total population of India, which according to the 1961 Census was 14.67 for Scheduled Castes and 6.80 for Scheduled Tribes."

2.5. The Committee note that the reservations for Scheduled Castes and Scheduled Tribes in Public services, as mentioned in para 2.1 above were prescribed in 1950 pending the determination of the figures of population at the Census of 1951. That Census showed the population of Scheduled Castes and Scheduled Tribes as 15.32 per cent and 6.23 per cent respectively of the total population. The Committee feel that Government should have reviewed the figures of reservations in 1951, as contemplated. They are unhappy to note that Government did not review these figures even after 1961 Census†. The Committee need hardly stress that population should be considered as the main criterion for fixing the percentage of reservations in public services. They are in full agreement with the suggestion of the Commissioner for Scheduled Castes and Scheduled Tribes made in his Seventeenth Report (1967-68) that the Scheduled Castes and Scheduled Tribes should be given representation in public services according, at least, to their present percentage in total population of India.

B. **Reservations at the initial Constitution of the Services**

2.6. The progressive representation of the Scheduled Castes and Scheduled Tribes in the various services and posts under the Central Government during the years 1960—67 has been stated to be as follows:—

Scheduled Castes

Year of Reference	Percentage of Scheduled Caste Employees			
	Class I	Class II	Class III	Class IV
1	2	3	4	5
1960	1.2	2.5	7.2	17.2
1961	1.4	2.5	7.5	12.2
1962	1.3	2.6	7.7	17.3
1963	1.3	2.6	7.9	17.6
1964	1.5	2.8	8.4	17.5
1965	1.6	2.8	8.9	17.8
1966	1.7	3.3	8.9	17.9
1967	1.9	3.0	9.0	18.2*

†At the time of factual verification, the Ministry of Home Affairs has stated as follows :—

"The Government did review the question of percentages of reservation for Scheduled Castes and Scheduled Tribes in services in 1957 but it was not considered necessary by Government to revise the percentages."

*Excluding Sweepers.

Acc No R 32386.76
Date 24-2-70

Scheduled Tribes

Year of Reference	Percentage of Scheduled Tribe			
	Class I	Class II	Class III	Class IV*
1	2	3	4	5
1960	0.2	0.7	0.9	2.9
1961	0.2	0.7	0.9	3.1
1962	0.3	0.4	1.0	3.1
1963	0.2	0.4	1.0	3.1
1964	0.2	0.3	1.1	3.2
1965	0.3	0.3	1.1	3.4
1966	0.5	0.3	1.1	3.4
1967	0.3	0.3	1.2	3.6

*Excluding Sweepers.

2.7. It may be observed from the above statements that the Scheduled Castes have been able to secure increase in their representation in Class I and Class II to the extent of 0.7 and 0.5 per cent, respectively, only. In Class III also, their representation has increased by 1.8 per cent only. The Scheduled Tribes, during that period of 8 years, have been able to register an increase in their quota in Class I and Class III services by 0.1 per cent and 0.3 per cent, respectively only; their representation in Class II has, on the other hand, been reduced since 1960 by 0.4 per cent.

2.8. Stating the reasons why the representation of Scheduled Castes and Scheduled Tribes has not increased appreciably all these years, the Commissioner for Scheduled Castes and Scheduled Tribes has stated in his Seventeenth Report (1967-68) as follows:—

"One of the reasons why the representation of these communities has not increased appreciably all these years is due to the fact that the orders regarding representation apply only to vacancies, if and when they occur, and not to the services as a whole. If, therefore, the intention of the Constitution-makers to provide adequate representation to these communities is to be fulfilled, it is necessary to review the present policy of confining representation to future vacancies only. This fact was brought out in paragraph 2.3 (a) of the previous Report also. The Ministry of Home Affairs have explained the reasons why there is no reservation at the initial constitution of the various services as under:—

'When new services are constituted, at the initial constitution, departmental candidates who may be holding

ments to services, and posts in connection with the affairs of the Union or a State.' To achieve this objective, it is necessary to give them representation according, at least, to their percentage in total population of India, which according to the 1961 Census was 14.67 for Scheduled Castes and 6.80 for Scheduled Tribes."

2.5. The Committee note that the reservations for Scheduled Castes and Scheduled Tribes in Public services, as mentioned in para 2.1 above were prescribed in 1950 pending the determination of the figures of population at the Census of 1951. That Census showed the population of Scheduled Castes and Scheduled Tribes as 15.32 per cent and 6.23 per cent respectively of the total population. The Committee feel that Government should have reviewed the figures of reservations in 1951, as contemplated. They are unhappy to note that Government did not review these figures even after 1961 Census†. The Committee need hardly stress that population should be considered as the main criterion for fixing the percentage of reservations in public services. They are in full agreement with the suggestion of the Commissioner for Scheduled Castes and Scheduled Tribes made in his Seventeenth Report (1967-68) that the Scheduled Castes and Scheduled Tribes should be given representation in public services according, at least, to their present percentage in total population of India.

B. **Reservations at the initial Constitution of the Services**

2.6. The progressive representation of the Scheduled Castes and Scheduled Tribes in the various services and posts under the Central Government during the years 1960—67 has been stated to be as follows:—

Scheduled Castes

Year of Reference	Percentage of Scheduled Caste Employees			
	Class I	Class II	Class III	Class IV
1	2	3	4	5
1960	1.2	2.5	7.2	17.2
1961	1.4	2.5	7.5	12.2
1962	1.3	2.6	7.7	17.3
1963	1.3	2.6	7.9	17.6
1964	1.5	2.8	8.4	17.5
1965	1.6	2.8	8.9	17.8
1966	1.7	3.3	8.9	17.9
1967	1.9	3.0	9.0	18.2*

†At the time of factual verification, the Ministry of Home Affairs has stated as follows :—

"The Government did review the question of percentages of reservation for Scheduled Castes and Scheduled Tribes in services in 1957 but it was not considered necessary by Government to revise the percentages."

*Excluding Sweepers.

Acc No. R 32386 (6)
Date 24-2-70

Scheduled Tribes

Year of Reference	Percentage of Scheduled Tribe			
	Class I	Class II	Class III	Class IV*
1	2	3	4	5
1960	0.2	0.7	0.9	2.9
1961 .	0.2	0.7	0.9	3.1
1962 .	0.3	0.4	1.0	3.1
1963 .	0.2	0.4	1.0	3.1
1964	0.2	0.3	1.1	3.2
1965	0.3	0.3	1.1	3.4
1966 .	0.5	0.3	1.1	3.4
1967 .	0.3	0.3	1.2	3.6

*Excluding Sweepers.

2.7. It may be observed from the above statements that the Scheduled Castes have been able to secure increase in their representation in Class I and Class II to the extent of 0.7 and 0.5 per cent, respectively, only. In Class III also, their representation has increased by 1.8 per cent only. The Scheduled Tribes, during that period of 8 years, have been able to register an increase in their quota in Class I and Class III services by 0.1 per cent and 0.3 per cent, respectively only; their representation in Class II has, on the other hand, been reduced since 1960 by 0.4 per cent.

2.8. Stating the reasons why the representation of Scheduled Castes and Scheduled Tribes has not increased appreciably all these years, the Commissioner for Scheduled Castes and Scheduled Tribes has stated in his Seventeenth Report (1967-68) as follows:—

"One of the reasons why the representation of these communities has not increased appreciably all these years is due to the fact that the orders regarding representation apply only to vacancies, if and when they occur, and not to the services as a whole. If, therefore, the intention of the Constitution-makers to provide adequate representation to these communities is to be fulfilled, it is necessary to review the present policy of confining representation to future vacancies only. This fact was brought out in paragraph 2.3 (a) of the previous Report also. The Ministry of Home Affairs have explained the reasons why there is no reservation at the initial constitution of the various services as under:—

'When new services are constituted, at the initial constitution, departmental candidates who may be holding

posts which are incorporated in the new services, are screened and considered for absorption in the services. They are not new vacancies which are being filled and, therefore, the question of applying reserved quota for Scheduled Castes and Scheduled Tribes would not arise. However, when the posts which were earlier not in an organized service, were originally filled, the reservation for Scheduled Castes and Scheduled Tribes would have been applicable as and when the vacancies were filled by direct recruitment. Therefore, there is no reservation for Scheduled Castes and Scheduled Tribes at the initial constitution of a service where departmental candidates are appointed.'

It is true that when a new service is constituted, the initial constitution is generally confined to departmental candidates, but the fact remains that nothing prevents Government from making reservation in favour of the Scheduled Castes and Scheduled Tribes at the initial constitution of a service. If departmental candidates belonging to these communities are available, they will no doubt fill the reserved vacancies in the service at the time of its initial constitution. However, if no such departmental candidates are available to fill the reserved vacancies, the latter ought to be filled by direct recruitment—the method which is resorted to when the general vacancies are not filled by departmental candidates."

2.9. The Commissioner for Scheduled Castes and Scheduled Tribes recommended that, "In view of the declared policy of the Government to provide adequate representation to the Scheduled Castes and Scheduled Tribes, a review of the present policy whereby no reservation is made in favour of these communities at the time of the initial constitution of a service, is called for."

2.10. The Committee also noticed that no reservation for Scheduled Castes and Scheduled Tribes was provided in the initial constitution of the Indian Medical and Health Service which was constituted in February, 1969. When the Committee took up the matter with the Ministry of Home Affairs, that Ministry replied to the Committee as follows:—

"The procedure with regard to the formation of new All-India Services is somewhat different from that of the new

recruitment. At the stage of initial constitution of a service, the Officers are generally drawn from various States where they are already working. These Officers are screened and appointed. Instructions have been given to the States that the names of the Scheduled Caste and Scheduled Tribe candidates should be specially marked in the lists prepared by them for State Services and at the time of screening that is kept in mind. In all cases of direct recruitment the reservations for Scheduled Castes and Scheduled Tribes are taken into account but in a way these cases may be treated as cases of promotion from State Services to All-India Services."

2.11. The representative of the Ministry of Home Affairs further stated that seniorities would be disturbed if reservations were made for Scheduled Castes and Scheduled Tribes at the initial constitution of a service. Clarifying the position, he stated that, "The point is: for example, in the formation of the Indian Forest Service when the cadre strength is drawn up for each State, indicating the number of Divisional Forest Officers, Asstt. Forest Officers, etc., these posts are held by existing officers of the Forest Service of the State Government. Unless these officers are taken, subject to their suitability, where will they go. That is why the initial constitution of these services is different from the recruitment to I.A.S. etc. In the IAS, at the initial stage some State Civil officers were taken but that lacuna was made good later. In this case, the persons are already working and unless they are taken in, how it would be advisable to fill these posts by competitive examination and what will the State Government do with the existing persons working there? That is why at the time of initial constitution all the officers who are suitable will be inducted into the Service." He further stated that, "any service on being constituted on an All-India basis shall include officers in the Centre or State, who may already be holding these posts."

2.12. Asked whether at the initial stage, it would not be desirable, with a view to encouraging promising Scheduled Caste and Scheduled Tribe Officers and with a view to secure their due representation in the services, to relax rules so that some of them could be promoted even though they might be junior as compared to some other officers, the representative of the Ministry stated that every one who had put in a certain amount of service, according to the rules, was considered. The Screening Committee, which had been set up for the purpose, might relax standards to some extent but

there were limitations upto which the standards could be relaxed. In reply to a question, he stated that one of the Members of the Union Public Service Commission was the Chairman of the Screening Committee.

2.13. The Committee desired to know the number of Scheduled Caste and Scheduled Tribe Officers whose cases were considered and who were appointed by the Screening Committee at the initial stage of the constitution of the Indian Forest Service. In a note furnished to the Commitee, the following information has been given:

Total Number of Officers appointed	703
No. of Scheduled Caste Officers considered	22
No. of Scheduled Caste Officers selected	
No. of Scheduled Tribe Officers considered	21
No. of Scheduled Tribe Officers selected	8
Percentage of Scheduled Castes appointed to total candidates appointed	1.3
Percentage of Scheduled Tribes appointed to total candidates appointed	1.1

2.14. The Committee on Untouchability, Economic and Educational Development of Scheduled Castes (Elayaperumal Committee) in their Report (1969) has observed as under:

> "We have come to know of a large number of All-India and Central Services under the control of the Central Government—their existing number exceeding 80. But while we talk of this vast sector of services, we usually mention only about I.A.S. and I.P.S. as if they cover the whole field. Through a number of recent Parliament Questions, it is now revealed that the representation of S.C. & S.T. in most of these Services still continues to be extremely inadequate and there has been very little improvement in their position over all these years. The obvious reason for this, according to the Committee, is the fact that the rules for recruitment|appointment to these services, particularly the newly constituted ones, have been framed in such a manner that there is no provision for reservation at the

initial stage of recruitment to any of the grades. The Commissioner for S.C. & S.T. in his latest report (16th), has also pointed out the fact. We, therefore, recommend that the existing Rules, particularly of the newly constituted Services, should be so amended as to provide for adequate reservation for the S.T. & S.T. at the initial stage of recruitment. In case of dearth of departmental candidates from these communities, there should be provision for partial recruitment at the initial stage from the open market to make up the quota for S.C. & S.T. The benefits of the amendments suggested should be given with retrospective effect, through special recruitments, at least in the case of newly constituted services."

2.15. The Committee are unhappy to note from the statement given above that at the time of the initial constitution of the Indian Forest Service, only 9 Scheduled Caste and 8 Scheduled Tribe Officers could be selected out of 22 Scheduled Caste and 21 Scheduled Tribe Officers considered for the purpose, the percentage to the total number of Officers appointed being only 1.3 for Scheduled Castes and 1.1 for Scheduled Tribes. They are also unhappy that no reservations for Scheduled Castes and Scheduled Tribes are provided in the initial constitution of the Indian Medical and Health Service which was constituted in February, 1969. The Committee do not expect any appreciable increase in the number of Scheduled Castes and Scheduled Tribes in Public Services unless the orders regarding representation of Scheduled Castes and Scheduled Tribes are made applicable to the Services as a whole (i.e. in posts) and not merely to the vacancies, as and when they occur.

2.16. The Committee are in agreement with the views of the Elayaperumal Committee that the existing rules, particularly of the newly constituted Services, should be so amended as to provide for adequate reservation for the Scheduled Castes and Scheduled Tribes at the initial stage of recruitment. The Committee suggest that Government should urgently review the present policy in regard to making reservations for Scheduled Castes and Scheduled Tribes at the time of initial constitution of an All-India Service.

C. Maintenance of Rosters

2.17. Detailed instructions for the maintenance of rosters for giving effect to reservations, provided for Scheduled Castes and Scheduled Tribes in public service have been issued by the Ministry

of Home Affairs *vide* Appendix VII of the Brochure attached with their O.M. No. 1|2|61-SCT(1) dated 27th April, 1962 they are as follows:—

"(1) A separate roster should be maintained in the prescribed form for each type of recruitment and within it for each grade or service or a group of posts formed for the purpose of these orders.

(2) Within each category of posts a separate roster may be maintained for permanent and temporary appointments.

(3) Immediately after an appointment has been made the particulars of the person appointed will be entered in the register in the appropriate columns and the entry signed by the appointing authority or by the officer authorised to do so.

(4) No gap should be left in completing the roster. For example, if a 'reserved vacancy, at, say, point 25, has to be treated, for want of a suitable Scheduled Caste/Tribe candidate, as unreserved, the candidate actually appointed will be shown against that point itself. A Scheduled Caste/Scheduled Tribe candidate recruited later in the year against an unreserved point will be shown against such point.

(5) The roster will be maintained in the form of a running account year by year. For example, if recruitment in a year stops at point 6 of a cycle recruitment in the following year will begin at point 7."

2.18. On 27th March, 1963, revised instructions were issued *vide* Ministry of Home Affairs Office Memorandum No. 31|10|63-SCT(1) regarding maintenance of rosters which read as follows:—

"(1) A common roster should be maintained for permanent appointments and temporary appointments likely to become permanent or to continue indefinitely. Temporary posts likely to become permanent or to continue indefinitely included in this roster, will be treated as reserved or unreserved according to the points at which they fall in the roster when they are initially filled. While advertising such posts falling on reserved points, it should be clearly stated that the posts are likely to become permanent or to continue indefinitely. Whenever, owing to continuing non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes, it becomes

necessary to de-reserve a post included in this roster, reference should be made to this Ministry indicating the steps taken to secure Scheduled Caste and Scheduled Tribe candidates and its prior approval obtained for dereservation.

(2) A separate roster may be maintained for purely temporary appointments which have no chance whatever of becoming permanent or continuing indefinitely. Reserved posts included in this category can be treated as de-reserved by the Ministries themselves after ensuring that the steps prescribed in para 16 of the Brochure have been duly taken to secure suitable Scheduled Caste and Scheduled Tribe candidates and such candidates are still not available."

2.19. The Ministry of Home Affairs again issued a model roster for the guidance of the Ministries|Departments *vide* their Office Memorandum No. 1|13|63-SCT(1), dated the 21st December, 1963. The model roster may be seen at Appendix IV.

2.20. Criticising the revised instructions issued by the Ministry of Home Affairs on the 27th March, 1963 regarding maintenance of rosters, the Commissioner for Scheduled Castes and Scheduled Tribes has stated in his 13th Report (1963-64) as follows:—

"Formerly two separate rosters were being maintained for permanent and temporary vacancies. But now, this concession too has been done away with, in spite of the fact that under Article 335 of the Constitution, claims of the Scheduled Castes and the Scheduled Tribes must be taken into consideration while making recruitments to all posts. In other words, provisions of Article 335 would equally apply to permanent posts which generally constitute a separate cadre as distinct from temporary posts. The withdrawal of the aforesaid concession would mean that a percentage of permanent posts, which would have gone, under the earlier orders, to the Scheduled Castes and the Scheduled Tribes will now be filled by persons from other communities on the basis of seniority."

2.21. The Ministry of Home Affairs, in a statement replying to the above criticism of the Commissioner, have stated as follows:—

"(3) O.M. No. 31|10|63-SCT(1), dated 27th March, 1963. This O.M. provides that with effect from 27th March, 1963, a

common roster should be maintained for permanent appointments and temporary appointments likely to become permanent or continue indefinitely for purpose of determining reservation. Another roster is to be maintained for purely temporary appointments which have no chance of becoming permanent or continuing indefinitely. Prior to 27th March, 1963, separate rosters were required to be maintained for permanent appointments and for temporary appointments. The Commissioner's contention that the change as in the orders of 27th March, 1963 would mean percentage of permanent posts which under the old orders would have gone to Scheduled Castes and Scheduled Tribes would now be filled by persons of other communities on the basis of seniority, is not correct. What has been done is that temporary vacancies which are likely to become permanent or continue indefinitely are now grouped with permanent vacancies for determining reservation. Reservation is still required to be made for Scheduled Castes and Scheduled Tribes in permanent vacancies in the manner indicated in O.M. No. 31|10|63-SCT(1), dated 27th March, 1963 and 2nd May, 1963. The new arrangement eliminates cases where a post may fall on a reserved point in the roster for temporary appointments but falls at an unreserved point in the roster for permanent appointments where the post would, in the long run, not go to a Scheduled Caste or Scheduled Tribe candidate. The orders of 27th March, 1963 facilitate administrative convenience and also do not work in a manner which would affect the interests of Scheduled Castes and Scheduled Tribes adversely. There is, therefore, no need to revise the orders of 27th March, 1963."

2.22. When this question was raised during evidence, the representative of the Ministry of Home Affairs informed the Committee that prior to 27th March, 1963, the appointing authorities had been maintaining two rosters—one for permanent vacancies and the other for temporary vacancies. It was decided in 1963 that a common roster for each category or group of posts should be maintained for permanent vacancies as also for temporary vacancies which were likely to become permanent or to continue indefinitely. Whenever it was found that there was non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes and it became necessary to dereserve posts, all these cases should be referred by the Ministries concerned to the Ministry of Home Affairs. A

separate roster for purely temporary vacancies was also being maintained. The reserved vacancies included in this category could be treated as dereserved by the concerned Ministries themselves, if suitable candidates belonging to Scheduled Castes and Scheduled Tribes were not available.

2.23. The representatives of the Ministry stated further that maintenance of the roster was quite advantageous to the Scheduled Castes and Scheduled Tribes. If the roster was not maintained, these communities would be coming in the lower ranks than on the points on which they had been fixed. When there was no competition, their appointment was made according to the points in the reservation roster, even though these points did not determine seniority.

2.24. The Committee have taken note of the various orders issued by the Ministry of Home Affairs regarding the maintenance of rosters for giving effect to reservations provided for Scheduled Castes and Scheduled Tribes in Public Services. The Committee have received complaints that rosters are not being maintained properly. They suggest that the Ministry of Home Affairs should evolve a procedure for the periodical inspection of the rosters. Defects, if any, noticed in the maintenance of the rosters should be brought to the notice of the concerned Ministries/Departments. for rectification and implementation of the relevant orders.

D. Recruitment through Union Public Service Commission.

2.25. In a note furnished to the Committee by the Ministry of Home Affairs, it has been stated that in the matter of selections on the results of the competitive examinations held by the Union Public Service Commission, the marks obtained in written part of the examination are invariably added to the marks obtained in interview or *viva voce*|personality test etc. as prescribed in the scheme of the examination and in the case of all candidates, including those belonging to the Scheduled Castes and the Scheduled Tribes. There has been no instance in which the general practice as stated above has not been followed.

2.26. It has been further stated that in competitive examinations, the procedure is that candidates, who obtain such minimum qualifying marks in the written examination, as may be fixed by the Commission in their discretion, are summoned by the Commission for an interview or personality|*viva voce* test or for stenography test,

as the case may be. In such examinations, having regard to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes as may be decided by Government, the Union Public Service Commission have the discretion to fix the minimum qualifying marks in the case of candidates belonging to Scheduled Castes and Scheduled Tribes at a standard that may be lower than the standard fixed by the Commission for other candidates. For the purpose of declaring the lists of successful candidates, the candidates are arranged by the Commission in the order of merit as disclosed by the aggregate marks finally awarded to each candidate in the different parts comprising the scheme of the examination concerned; and in that order so many candidates as are found by the Commission to be qualified by the examination are recommended for appointment, with due regard to the number of unreserved vacancies decided to be filled on the results of the concerned examination. For reserved vacancies, candidates belonging to the Scheduled Castes and Scheduled Tribes, who though not qualified by the standard prescribed by the Commission for any Service, but are considered by them to be suitable for appointment thereto with due regard to the maintenance of efficiency of administration, are recommended for appointment to vacancies reserved for members of the Scheduled Castes and Scheduled Tribes, in that Service.

2.27. Orders already exist that relaxed standards of suitability should be applied in the case of Scheduled Caste and Scheduled Tribe candidates both in direct recruitment by examination and otherwise than by examination.

They read as follows:—

"Para 19 of the Brochure issued with Ministry of Home Affairs O.M. No. 1|2|61-SCT(1), dated the 27th April, 1962.

Standards of Suitability

(a) *Direct recruitment by examination*:

If according to their normal positions in the competition or selection, candidates belonging to Scheduled Castes and Scheduled Tribes obtain less vacancies than the number reserved for them, candidates of such castes or tribes who have secured lower positions but who have qualified at such examination may be selected by the appointing authority to make up the deficiency.

(b) *Direct recruitment otherwise than by examination*:

The appointing authority may select candidates from the Scheduled Castes and Scheduled Tribes of a lower standard

than that of others, provided they possess the prescribed minimum educational and technical qualifications."

2.28. The above orders were revised in 1967 and fresh orders were issued *vide* Ministry of Home Affairs O.M. No. 8|10|66-Ests(C) dated the 15th May, 1967 which prescribed the standards of suitability' as follows:—

Standard of suitability:

(a) *Direct recruitment by examination*:

If according to their normal positions in the examination, candidates belonging to Scheduled Castes and Scheduled Tribes obtain less vacancies than the number reserved for them, the Union Public Service Commission or other recruiting authority will have full discretion, in order to make up the deficiency to recommend Scheduled Caste and Scheduled Tribe candidates who may obtain a low place in the examination, except where such authority considers that minimum standard necessary for the maintenance of efficiency of administration has not been reached.

(b) *Direct recruitment otherwise than by examination*:

The appointing authorities will have discretion to select, for vacancies reserved for Scheduled Castes and Scheduled Tribes, candidates belonging to these communities who may be of a lower standard than candidates of other communities, so long as the Scheduled Castes and Scheduled Tribes candidates have the prescribed minimum educational, technical and other essential qualifications and the appointing authorities are satisfied that the lowering of standards will not unduly affect the maintenance of efficiency of administration."

2.29. Further clarification of the orders mentioned at (a) above was issued by the Ministry of Home Affairs *vide* their O.M. No. 16|17|67-Ests (C) dated the 8th February, 1968 which reads as follows:—

"In the case of direct recruitment through a *qualifying* examination, a minimum standard is generally fixed and candidates attaining that standard are placed on the select list for appointment against vacancies occurring from time to time. In such cases, therefore a lower

minimum qualifying standard should be fixed for candidates belonging to Scheduled Castes and Scheduled Tribes, taking into account the minimum standard necessary for maintenance of efficiency of administration. If the minimum qualifying standard for general candidates is reviewed at a later date, the lower minimum qualifying standard applicable to Scheduled Castes and Scheduled Tribes should also be reviewed."

2.30. The Committee have been informed during evidence that the Scheduled Caste and Scheduled Tribe candidates are judged by relaxed standards. The Ministry of Home Affairs have, in this regard, issued general circulars to all Ministries/Departments of the Government of India. Even in the case of interviews, the Scheduled Caste and Scheduled Tribe candidates are, wherever feasible, called for interview on dates different from those on which other candidates are called. In the qualifying examinations also, the Scheduled Caste and Scheduled Tribe candidates are judged by relaxed standards. In the case of promotions to Class I and Class II posts, recruitment is made by the Union Public Service Commission. Sometimes, it becomes difficult to ascertain whether the instructions regarding relaxation standards were in fact followed.

Although the candidates have to be judged by the relaxed standards, it is very difficult to ascertain the reasons on account of which a particular candidate is considered unsuitable by the Union Public Service Commission or other recruiting authority.

2.31. Asked who decided the suitability of a candidate for a higher post, the Committee were informed that the U.P.S.C. took the decision.

2.32. The Committee have further been informed that certain minimum standards have to be fixed keeping in view the minimum standards of efficiency in administration and this is in line with the constitutional provisions. The idea is not to go beyond the minimum standards. In regard to lower category of posts, the necessary orders have been issued based on the recommendations of the Yardi Working Group. In regard to non-technical and *quasi*-technical Class III and Class IV posts requiring to be filled by direct recruitment otherwise than by written examination, if the Scheduled Caste and Scheduled Tribe candidates fulfilled the minimum qualifications prescribed, they should be taken and given necessary in-service training later.

The representative of the Ministry of Home Affairs agreed during evidence that the term 'suitability' was more or less of a subjective character. Nevertheless, the orders were that the Scheduled Caste

and Scheduled Tribe candidates should be judged by relaxed standards. Therefore, even though lower standards may be prescribed, the recruiting authority had to see that the persons selected fulfilled the minimum requirement of administration. In respect of higher posts, the personality of individual had also to be taken into consideration, he said.

2.33. As regards *viva voce,* the Committee have been informed during evidence that the fact that *viva voce* is necessary and desirable and serves a useful purpose, has been well recognised. In the United Kingdom there used to be two systems of recruitment-one was by competitive examination *plus viva voce* and the other was performance at the University *plus* a more rigorous *viva voce.* Now, what exactly is required of the *viva voce* test differs from country to country. *Viva voce* is necessary, as it brings out qualities of a candidate which may not be brought out in a written test. In respect of the Scheduled Castes and Scheduled Tribes, even with regard to the *viva voce,* the Ministry of Home Affairs have suggested relaxed standards. Orders have also been issued *vide* Ministry of Home Affairs O.M. No. 16|1|66-Est(C), dated the 20th July, 1965 providing that where interviews are prescribed as a part of selection, Scheduled Caste and Scheduled Tribe candidates should, wherever feasible, be taken for interview in a separate bloc and preferably on a separate day so that they are not judged in comparison with the general candidates and the orders regarding relaxation of standards in favour of Scheduled Castes and Scheduled Tribes should be prominently in view before the Interview Boards. These orders may be seen at Appendix V.

2.34. Asked whether it should not be made a rule to appoint Scheduled Caste and Scheduled Tribe candidates possessing minimum qualifications without any personality test or interview, the representative of the Ministry of Home Affairs stated that the Ministry was not aware of the number of posts for which such candidates with minimum qualifications could be appointed. There are lacs of posts and it is not possible to classify these posts showing their nature or posts to which candidates may be appointed without written tests or interviews.

2.35. The Committee enquired during evidence whether the Scheduled Caste and Scheduled Tribe candidates who otherwise came on the merit list were taken against the general seats and not against

the reserved seats. In a note submitted to the Committee, it has been stated by the Ministry of Home Affairs:

> "When the number of Scheduled Caste and Scheduled Tribe candidates who qualify on their own merit in the competitive examination conducted by the Union Public Service Commission is less than the number of vacancies reserved for them, the Scheduled Caste and Scheduled Tribe candidates qualifying on their own merit are considered for appointment against the reserved quota and not against the general quota; other Scheduled Caste and Scheduled Tribe candidates who qualify according to the relaxed standards are considered for appointment against the remaining vacancies in the reserved quota. However, if the Scheduled Caste and Scheduled Tribe candidates who qualify on their own merit without relaxation of standards exceed the number of posts reserved for them, the excess number of such candidates are appointed against the unreserved vacancies and there is such a case, no need to select any Scheduled Caste and Scheduled Tribe candidate by applying the relaxed standards.
>
> The question of selecting Scheduled Caste and Scheduled Tribe candidates coming on their own merit in the competitive examination against the general quota is, however, being examined in consultation with the Union Public Service Commission and the Ministry of Law."

2.36. The Committee have noted the orders issued by the Ministry of Home Affairs regarding standards of 'suitability' which are to be observed by the appointing authorities in the case of recruitment of Scheduled Castes and Scheduled Tribes. They are, however, unhappy to be told that the term 'suitability' is more or less of a subjective character and that it is difficult to ascertain the reason on account of which a particular candidate is considered unsuitable either by Union Public Service Commission or by any other recruiting authority. The Commitee would like to impress upon the Minis try of Home Affairs the desirability of devising adequate checks to ensure the rigid application of relaxed standards by the appointing authority in the case of Scheduled Castes and Scheduled Tribes. They suggest that the standards, specially regarding viva voce fixed for Scheduled Castes and Scheduled Tribes should be further relaxed, if they cannot be abolished altogether.

2.37. The Committee also suggest that the feasibility of appointing Scheduled Castes and Scheduled Tribes, possessing minimum qualifications, to some categories of posts, without any written or viva voce test, may be considered.

2.38. The Committee also feel that in order to give impetus and encouragement to the Scheduled Castes and Scheduled Tribes, such of them, who, of their own, come on the merit list in a competitive examination, should be taken against the general seats and not against the reserved quota of vacancies. The Committee suggest that the Union Public Service Commission|State Public Service Commissions should give this matter urgent consideration.

E. Inclusion of representatives of Scheduled Castes and Scheduled Tribes in Public Service Commissions, etc.

2.39. The Seminar on Employment of Scheduled Castes and Scheduled Tribes held in January-February, 1964 recommended* as follows:—

> 'It would be extremely desirable to have on each Union|State Public Service Commission, Railway Service Commission and similar other bodies set up for recruitment for Public Services, a person belonging to Scheduled Castes or Scheduled Tribes."

2.40. The Yardi Working Group (1967) also emphasised the appointment of persons from Scheduled Castes as members of recruitment authorities such as Union and State Public Service Commissions and the Railway Service Commissions.

2.41. In a statement, showing the action taken on the above recommendation, furnished by the Ministry of Home Affairs, it has been stated that:—

> "Regarding the U.P.S.C. this Ministry will keep the suggestion in view. The Ministry of Railways and the State Governments have also been advised to keep the suggestion in view while making appointments of members on

*The other recommendations of the Seminar together with comments of the Commissioner for Scheduled Castes and Scheduled Tribes thereon, as stated in his Thirteenth Report (1963-64) and Fourteenth Report (1964-65) may be seen at Appendix VI.

the Railway Service Commission and the State Public Service Commissions respectively."

2.42. The Committee have been informed during evidence that in the Union Public Service Commission, two persons belonging to these Committees have since been appointed as members. So far as the States are concerned, the State Governments ar not constitutionally bound to follow this advice but the matter has been brought to their notice.

2.43. The Committee welcome the appointment of two persons belonging to Scheduled Caste and Scheduled Tribe communities as members of the Union Public Service Commission. They would like the Ministry of Home Affairs to impress upon those States, who have not so far appointed any Scheduled Caste|Tribe person as a member of the State Public Service Commission, to do the needful urgently. The Ministry of Railways should also be advised to ensure that all the Railway Service Commissions include Scheduled Caste|Tribe members. Similarly, all Selection Boards or Recruitment Authorities should include among them at least one Scheduled Caste|Tribe member. . . .

F. Stenographers' Service

2.44. The Commissioner for Scheduled Castes and Scheduled Tribes has recommended in his *Seventeenth* Report (1967-68) that "recruitment to the Central Secretariat Stenographers' Service can be made from amongst the Stenographers and Stenotypists belonging to Scheduled Castes and Scheduled Tribes and serving in non-participating offices, if necessary, by making relaxation in the existing rules."

2.45. In a note furnished to the Committee by the Ministry of Home Affairs, it has been stated that the Central Secretariat Stenographers' Service Rules, 1962 provide that recruitment to Grade II of the Stenographers Service will be through competitive examinations held by the U.P.S.C. The usual reservations of 12½ per cent for Scheduled Castes and 5 per cent for Scheduled Tribes are applied for recruitment through competitive examination to this grade. Relaxed standards of suitability are applied in the case of Scheduled Caste and Scheduled Tribe candidates and candidates from these communities are recommended against reserved vacancies by the U.P.S.C. even if they have secured lower ranks in the order of

merit. It has been further stated that sufficient number of Scheduled Caste and Scheduled Tribe candidates are, however, still not available to fill all the reserved vacancies. The Department of Social Welfare are considering a proposal for opening a Pre-Examination Training Centre at Delhi to provide coaching facilities to Scheduled Caste and Scheduled Tribe candidates appearing at subordinate service examinations to be held by the U.P.S.C. for recruitment to the grades of Assistants, Stenographers and L.D.Cs. etc. With the provision of this facility and various other concessions available to Scheduled Castes and Scheduled Tribes, the actual intake of Scheduled Caste and Scheduled Tribe candidates in Stenographers' Service is likely to increase in future. The Ministry considered it essential that the method of recruitment for both reserved and unreserved vacancies should be the same and they do not consider it desirable to recruit Scheduled Caste and Scheduled Tribe candidates otherwise than through the normal method of recruitment through the U.P.S.C. on the results of the Central Secretariat Stenographers Service Competitive examination.

2.46. The position with regard to the recruitment of Stenographers, so far as Scheduled Castes and Scheduled Tribes are concerned, has been as follows during the last two years:—

	1966	1967
No.of vacancies reserved for		
(*i*) Scheduled Castes . . .	95	83
(*ii*) Scheduled Tribes .	38	33
No. of vacancies actually filled by		
(*i*)Scheduled Castes . .	5	4
(*ii*) Scheduled Tribes	—	—

2.47. So far as reorganised Stenographers Service is concerned, the representative of the Ministry of Home Affairs stated during evidence that some of the posts had been upgraded only. The selection would be made from among the existing personnel. There was no question of reservation for the Scheduled Castes and Scheduled Tribes in respect of these upgraded posts.

2.48. In view of the poor intake of Scheduled Castes and Scheduled Tribes in the Central Secretariat Stenographers' Service, as is evidence from the statement given at para 2.46 above, the Committee would like the Ministry of Home Affairs to reconsider whether the rules for the recruitment of Stenographers, so far as they are applicable to Scheduled Castes and Scheduled Tribes, could be further relaxed.

2.49. The Commitee suggest that the Ministry of Home Affairs may take appropriate steps to ensure that the quota reserved for Scheduled Castes and Scheduled Tribes for Stenographers' posts in the Ministry of External Affairs (including Indian Missions abroad) is not allowed to remain unfilled.

2.50. The Committee further suggest that the Ministry of Home Affairs may hold an examination exclusively for Scheduled Castes and Scheduled Tribes for recruitment as Stenographers so that the intake of Scheduled Castes and Scheduled Tribes in Central Secretariat Stenographers' Service can be augmented.

2.51. The Committee welcome the proposal of the Department of Social Welfare to open a pre-examination training centre at Delhi to provide coaching facilities to Scheduled Caste and Scheduled Tribe candidates for Subordinate Service examinations. They hope that there would be an appreciable increase in the intake of Scheduled Caste and Scheduled Tribe candidates as a result of the coaching facilities.

G. Appointment of Scheduled Castes in the vacancies reserved for Scheduled Tribes and vice versa

2.52. In a note furnished to the Commitee by the Ministry of Home Affairs, it has been stated that prior to 24-9-1962, vacancies reserved for Scheduled Tribes for which suitable Scheduled Tribe candidates were not available, could be filled by Scheduled Caste candidates and *vice versa,* but necessary adjustment was to be made in future vacancies so as to achieve the position that in the end, the percentage of reserved vacancies for Scheduled Castes|Tribes did not actually exceed the percentage of reservation fixed for such communities. The orders were revised from 24-9-1962. According to the revised orders, the vancancies reserved for Scheduled Tribes for which suitable Scheduled Tribes candidates are not available, cannot be treated as reserved for Scheduled Castes and *vice versa.* These orders were issued in pursuance of the recommendation of the Scheduled Areas and Scheduled Tribes Commission (1960—62) which is reproduced below:—

> "The existing orders of the Union Government which permit the appointment of Scheduled Castes candidates in the vacancies reserved for Scheduled Tribes, where suitable qualified candidates are not available, should be rescinded. The presence of such a permissive order brings about complacency.
>
> The recruiting authorities should make all possible efforts to find the Scheduled Tribe candidates."

2.53. Asked during evidence about the effect of the rescission of the above orders on the employment of Scheduled Castes and Scheduled Tribes, the representative of the Ministry of Home Affairs stated that the representation of Scheduled Castes must have been reduced in the public services because it was not possible to appoint Scheduled Castes in the vacancies left unfilled by the Scheduled Tribes. In reply to a further question he stated that if the old practice was continued, the Scheduled Castes would definitely be benefited. He further stated that the question whether the existing orders of 24-9-1962 should be revised was being examined.

2.54. The Committee feel that the intention and the spirit behind the aforesaid recommendation of the Scheduled Areas and Scheduled Tribes Commission (1960—62) have not been correctly appreciated by the Government. When the said Commission recommended that a post reserved for Scheduled Tribes should not be given to a Scheduled Caste, its intention was that efforts should be made to find a suitable Scheduled Tribe candidate to fill that post and not that the post itself should be dereserved and filled by a non-Scheduled Castes|Tribe Candidate. The Committee, therefore, recommend that the orders of the 24th September, 1962 which preclude the appointment of Scheduled Castes in the reserved vacancies left unfilled by Scheduled Tribes and vice versa should be rescinded forthwith. The recruiting authorities should also make all possible efforts to find Scheduled Caste and Scheduled Tribe candidates for the posts reserved for them.

H. Nomination of Scheduled Castes and Scheduled Tribes against reserved posts

2.55. The Seminar on Employment of Scheduled Castes and Scheduled Tribes held in January-February, 1964 recommended *inter alia* as follows:—

> "A Central Executive Authority fully qualified with power to nominate candidates against reserved vacancies should be established; in addition to services, this authority should be in general charge of proper implementation of the entire programme."

2.56. In the statement showing action taken on the above recommendation of the Seminar, submitted by the Ministry of Home Affairs, it has been stated as follows:—

> "So far as the recommendation relates to reservation of vacancies in services, the position is that it is the Employment Exchanges which nominate candidates for the

various Class III and Class IV vacancies. A separate executive authority to nominate Scheduled Caste and Scheduled Tribe candidates against reserved vacancies, would not be feasible. The Directorate General, Employment and Training does nominate Scheduled Caste and Scheduled Tribe candidates against reserved vacancies and there is no need for a duplicate authority for this purpose.

Regarding the suggestion that an authority should be in general charge of proper implementation of the entire programme, the matter is within the purview of the Department of Social Welfare, who have been requested to do the needful."

2.57. When this question was raised during evidence, the representative of the Ministry of Home Affairs stated that the Government had already tapped the Employment Exchanges for their requirements of Scheduled Castes and Scheduled Tribes. By and large, these requirements were being met by the Employment Exchanges. There was, he said, a technical difficulty with regard to the establishment of a Central Executive Authority which could nominate candidates. Nomination would be difficult under the Law. It was the prerogative and privilege of the Union Public Service Commission to recommend candidates for the posts. Therefore, it would be difficult to have another authority with a power of nomination which would certainly be in violation of the powers which have already been conferred on the Union Public Service Commission.

2.58. The representative of the Department of Social Welfare stated that this was a suggestion which went to the root of some of the existing practices. Normally, every Department had an appointing authority; there was also an agency in some cases for selecting the candidates and making them available to the appointing authority. For Class I and Class II posts, Union Public Service Commission was performing the function at present. It was not the intention of any one to encroach upon the powers of the Union Public Service Commission. As regards Class III posts, a number of these posts came within the purview of the Union Public Service Commission who prepared a list of selected candidates from which the Head of Department had to make appointments. There was no problem with regard to Class IV posts. Therefore, when the

problem was narrowed down, it meant that in regard to a proportion of Class III posts, the Head of the Department was the selecting and appointing authority. For guiding the Heads of Departments in the matter, the Ministry of Home Affairs had laid down principles and issued salient instructions. The Ministry of Home Affairs also kept a watch on what was happening. At the moment, they did not probe into individual cases. Probably, there was a complaint that the instructions were not being carried out properly. The whole question was whether there should be an authority to look into these cases. The representative of the Department of Social Welfare further stated that an occasional probe into such complaints could be beneficial but if a permanent authority was appointed to sit on the head of the Heads of Departments and to interfere into their day-to-day work regarding selection of candidates the harm would perhaps be much greater than the little benefit that could be derived. The work relating to occasional probe could be entrusted to the Ministry of Home Affairs or to the Department of Social Welfare, he said.

2.59. The Committee take note of the views of the Ministry of Home Affairs as also of the Department of Social Welfare that a separate executive authority to nominate Scheduled Caste and Scheduled Tribe candidates against reserved vacancies would not be feasible. They, however, feel that there should be no difficulty in appointing a separate executive authority to nominate Scheduled Caste and Scheduled Tribe candidates in all the posts which are outside the purview of the U.P.S.C. They also suggest that the Department of Social Welfare should conduct periodical surveys so as to see to what extent the nomination of Scheduled Castes and Scheduled Tribes made by the Ministries/Departments of the Government of India against reserved posts were in accordance with the orders of the Ministry of Home Affairs. The Committee have no doubt that the Commissioner for Scheduled Castes and Scheduled Tribes would also include cases of non-implementation of these orders in his reports to the President.

I. In-Service Training

2.60. The Yardi Working Group had recommended in its Report (1967) as follows:—

> "As an experimental measure, it would be desirable to select the best among the candidates being considered for selection, give them in-service training and confirm them only after they have acquired the requisite proficiency. In the initial stages, this could be confined to the non-technical and quasi-technical posts."

2.61. The Committee have been informed that the Government have considered the above recommendation of the Yardi Working Group and have accepted the same in regard to non-technical and quasi-technical Class III and Class IV services|posts filled by direct recruitment otherwise than through a written examination i.e., by direct recruitment on the basis of applications, nominations from Employment Exchanges, whether followed by interviews or not. The Ministry of Home Affairs have conveyed this decision of the Government to all Ministries|Departments *vide* their O.M. No. 24|7|67(1)-ESII(SCT) dated the 24th September, 1968, relevant extracts from which are reproduced below:—

> "..... With effect from the date of issue of this Memorandum, in case where the requisite number of Scheduled Caste|Tribe candidates fulfilling even the lower standards are not available to fill the vacancies reserved for them, the selecting authorities should, to the extent of the vacancies reserved for Scheduled Castes|Scheduled Tribes in non-technical and quasi-technical Class III and Class IV services|posts requiring to be filled by direct recruitment otherwise than by written examination, select for appointment the best amongst the Scheduled Caste|Scheduled Tribe candidates who fulfil the minimum educational qualifications laid down in the notice for recruitment|advertisement, and in order to bring them upto the minimum standard necessary for the posts and for the maintenance of efficiency of administration, they should be given in-service training. The in-service training will be provided by the appointing authorities within their own offices. Such candidates will, on their appointment, be placed on probation and the rules|orders regarding probation will apply to them."

2.62. The Commissioner for Scheduled Castes and Scheduled Tribes has recommended in his Seventeenth Report (1967-68) as follows:—

> "....order relating to the selection of the best among the available candidates belonging to the Scheduled Castes and Scheduled Tribes while making recruitment to non-technical and quasi-technical Class III and Class IV posts should be extended to posts filled through the Union Public Service Commission and to those filled on the basis of written examinations and also to such Class

II posts, and while notifying such posts to the Employment Exchanges or advertising them, it should be clearly indicated whether the posts are non-technical or quasi-technical."

2.63. In a note furnished to the Committee, it has been stated that the orders in pursuance of the recommendation of Yardi Working Group were issued only on the 24th September, 1968 and it is rather early to study the impact of those orders on the recruitment of Scheduled Castes and Scheduled Tribes. After considering the effect of the orders already issued, the Government would consider at the approprite time the question of extending those orders to posts filled through Union Public Service Commission and also to Class II posts.

2.64. The Committee note the orders issued by the Ministry of Home Affairs in September, 1968 relating to the selection of best among the Scheduled Castes and Scheduled Tribes while making recruitment to non-technical and quasi-technical Class III and Class IV posts and giving them in-service training to make them proficient in their work. They have no doubt that these orders will be extended at an early date to the posts filled through the Union Public Service Commission and also to Class II posts as recommended by the Commissioner for Scheduled Castes and Scheduled Tribes in his Seventeenth Report.

J. Confidence-building Course

2.65. The Yardi Working Group has recommended in its Report (1967):

"It is essential to give proper guidance to Scheduled Caste candidates not only in the matter of higher education and training but also about their prospects for selection in various competitive examinations and posts depending upon their aptitude qualifications and experience. This will permit diversion of Scheduled Caste students to different technical and professional courses thereby improving their chances of placement."

2.66. Asked to state the action taken on this recommendation, the representative of the Department of Social Welfare has stated during evidence as follows:—

"On the live registers of Employment Exchanges, there is a large number of Scheduled Castes and Scheduled Tribes

candidates who have been offered to various offices for employment from time to time over a period of three years but no body has been accepted. So, it is felt that an attempt should be made to take these candidates and build up their confidence. In most of the cases the candidates are not found suitable mainly on consideration of personality. We want to put them through psychological tests, vocational guidance, tours of various offices, lectures etc., so that they go through the process of interviews successfully."

2.67. In reply to a question, the representative of the Department of Social Welfare has stated that the scheme has been forwarded to the Ministry of Finance as the concurrence of the Expenditure Finance Committee has to be obtained. The scheme has been prepared in consultation with the Directorate-General of Employment and Training.

2.68. In a written note furnished to the Committee, the Department of Social Welfare have stated that the main objects and scope of the programme would be as follows:—

(i) To provide "confidence-building" training to Scheduled Caste|Scheduled Tribe candidates who are registered with the Employment Exchanges for Class III posts;

(ii) To review old cases of Scheduled Caste|Scheduled Tribe registrants who have been repeatedly rejected by employers and render vocational guidance to them and to discuss their problems with their parents in order to improve their employability by advising them to change their vocational aspirations more realistically.

(iii) whenever possible to administer psychological tests to assess interests, aptitudes, intelligence and predilections of Scheduled Caste|Scheduled Tribe youth registered at employment exchanges, to guide them to suitable higher education, training, job;

(iv) to work in close collaboration with Employment Exchanges concerned in liaising with employers, Scheduled Caste|Scheduled Tribe associations, various State and Central Government organisations in order to improve placement of Scheduled Caste and Scheduled Tribe applicants;

(v) to perform watch-dog functions in the matter of filling up of posts|seats reserved for Scheduled Caste and Scheduled Tribe applicants in Central|State and quasi-Government establishments and training institutions in their area;

(vi) to disseminate and distribute occupational information, literature, particularly suitable for Scheduled Caste and Scheduled Tribe applicants; and

(vii) quarterly evaluation by a team of officers has been prescribed to judge the performance of the programme.

2.69. It has been further stated that:

"The scheme is proposed to be taken up in the Central Sector on a pilot basis by starting 4 such centres—one each at Delhi, Madras, Kanpur and Jabalpur. These Centres would be run by the Directorate-General of Employment & Training on behalf of the Department of Social Welfare and are expected to cost Rs. 1.50 lakhs during the current year (1969-70)."

2.70. The Committee take note of the scheme formulated by the Department of Social Welfare for building confidence among the Scheduled Castes and Scheduled Tribes so that they can go through the process of interviews, etc. successfully and get appointed to various posts|services under Government. The Committee hope that the scheme, which for the time being is proposed to be taken up on a pilot basis would be gradually extended to other areas, if the results prove to be encouraging.

K. Pre-Examination Training Centres

2.71. It has been stated that the Government of India are running two Pre-Examination Training Centres—one at Allahabad under the University of Allahabad, and the other at Madras through the Government of Tamil Nadu—for imparting coaching to the Scheduled Caste and Scheduled Tribe students, who intend to appear at the I.A.S. and I.P.S. and other allied Services examinations held by the Union Public Service Commission every year. In April, 1968, the Government of Punjab also started a Pre-Examination Training Centre at Chandigarh. The Centre is run through the University of Punjab. This Centre was originally intended to prepare candidates for the State Services Examinations but as a special case, the Government of India allowed this Centre to coach the Scheduled

Caste and Scheduled Tribe candidates for I.A.S., I.P.S. and other Central Services Examinations. It has been further stated that these Centres are doing useful work in helping the trainees to appear in the examination with confidence and understanding of the problems. They have helped to fill the quota of posts reserved for the Scheduled Castes and Scheduled Tribes in the higher Central Services.

2.72. The Department of Social Welfare has furnished the following statement showing the progress made by these Centres:—

Course	Number of candidates Trained	Number of Selected for		TOTAL
		I.A.S.	I.P.S.	
1	2	3	4	5
I. ALLAHABAD CENTRE				
I. May—Oct., 1959	1	—	1	1
II. Oct.-59—Oct-60	37	3	10	13
III. Nov. 60—Nov. 61	53	12	12	24
IV. Nov. 61—Oct. 62	39 (12 Refreshers)	5	9	14
V. Nov. 62—Oct. 63	48 (8 Refreshers)	3	19	22
VI. Nov. 63—Oct. 64.	53	7	19	26
VII. Nov. 64—Oct. 65	57	7	18	25
VIII. Nov. 65—Oct. 66	56	9	19	
IX . Nov.66—Oct. 67	63	2	11	13
X. Nov. 67—Oct. 68	Result awaited from the Centre.			
II. MADRAS CENTRE				
I. 1966-67	42*	—	—	—
II. 1967-68	35@	—	—	—
III. CHANDIGARH CENTRE				
	30**(including 2 girls)			

*Only 17 of the 42 candidates who appeared for written examination could be successful but none of them could qualify in the oral examination.

@ Information about final selection though declared by Government is awaited.

**2 have found position in I.A.S. Information regarding result is awaited from the Centre.

2.73. As regards the poor performance of the Madras Centre, it has been stated that an assessment of the methods of coaching in Madras Centre was made in July, 1968 by the Zonal Officer, Madras. The study has revealed that there is lack of mock interviews, seminars, etc. which have a significant role in preparing students for the *viva voce* test. There are very few classes for General knowledge also. The bottlenecks in the working of this Centre have already been taken up with the State Government. The State Government have transferred this Centre from the Control of the Director of Harijan Welfare to the State Department of Social Welfare from June, 1969.

2.74. In his Seventeenth Report (1967-68), the Commissioner for Scheduled Castes and Scheduled Tribes has stated that "last year some of the State Governments were requested by the Government of India to take steps to open Coaching Centres in their respective States for members of the Scheduled Castes and Scheduled Tribes to receive Pre-Examination training for State Civil and other Subordinate Services, but so far in none of the States such a Centre has been opened."

2.75. The Department of Social Welfare have stated in a note that besides three regional Centres, a number of States have set up Pre-Examination Training Centres for imparting Pre-Examination training to Scheduled Castes and Scheduled Tribes Students appearing at Subordinate services examinations. The scheme for pre-examination training has been actively expanded. The Government of India give financial assistance to the State Governments for the establishment of such Centres. The concerned State Governments have taken steps to acquire office and hostel accommodation, to appoint staff and to negotiate with the Universities concerned for starting the Centres. It has been further stated that some of the State Governments could not give a practical shape to the scheme, as there was delay in completing the formalities necessary for starting of such Centres. The available information shows that the Governments of Andhra Pradesh, Bihar Gujarat, Haryana, Madhya Pradesh and Orissa have selected the sites for these Centres, whereas the Governments of Mysore, Rajasthan, Uttar Pradesh and West Bengal have not intimated the details.

2.76. The amounts allotted|expenditure incurred by various States on the Pre-Examination Training Centres during the years 1967-68,

1968-69 and 1969-70 are stated to be as follows:—

(Rs. in Lakhs)

Name of the State	1967-68		1968-69		1969-70
	Amt. alloted	Exp. incurred	Amt. allotted	Exp. incurred	Amt. allotted
(a) State Services Pre-Examination Centres					
1. Andhra Pradesh	0·50	—	1·20	N.A.	1·50
2. Bihar	0·50		0·50	N.A.	1·25
3. Gujarat			0·50	N.A.	1·00
4. Haryana			0·50	N.A.	0.50
5. Kerala	..		..	..	1·00
6. Madhya Pradesh	0·50		1·00	N.A.	1·50
7. Maharashtra			..	..	1·00
8. Mysore	..		0·70	N.A.	1·00
9. Orissa	0·50		0·50	N.A..	1·50
10. Rajasthan	0·50		0·60	N.A.	0·75
11. Uttar Pradesh	0·50		1·50	N.A.	1·50
12. West Bengal	0·50		1·00	N.A.	1·50
(b) Central Services Pre-Examination Training Centres					
1. Tamil Nadu	1.97	1.25	2.00	N.A.	5.75
2. Punjab	1.00	0.50	1.00	N.A.	2.00
TOTAL	6.47	1.75	11.00	..	21.75

2.77. The Committee are glad to note that the Government of India are running two Pre-Examination Training Centres—one at Allahabad and the other at Madras—for imparting coaching to the Scheduled Caste and Scheduled Tribe students who intend to appear at the I.A.S., I.P.S., and other allied Services Examinations held by the Union Public Service Commission. The Committee, however, feel that the results shown by these two Centres especially the Madras Centre, are not very encouraging. They would like the Department of Social Welfare to review the progress made by each Centre periodically in order to remove the shortcomings. The Committee suggest that Government may open such Centres at other places also so that there is at least one such Training Centre in each State/Union Territory.

2.78. The Committee would also stress the desirability of opening Pre-Examinations Training Centres in States for imparting training in respect of Subordinate Services Examinations held by the Union and State Public Service Commissions as well as for State Civil Service Examinations.

L. Reservations of Posts in Institutions receiving financial assistance from Government

2.79. The Seminar on Employment of Scheduled Castes and Scheduled Tribes held in January—February, 1964 recommended *inter alia* as follows:—

> "Government should insist that every institution, receiving financial assistance from it, should observe the principle of reservation in Employment under it."

2.80. In a statement showing the action taken by Government on the above recommendation, submitted by the Ministry of Home Affairs, it has been stated as follows:—

> "In the view of this Ministry, the suggestion that Institutions receiving financial assistance from Government should be asked to observe the principle of reservation in employment under them cannot, however, be accepted as financial assistance is given for performing certain tasks efficiently and other considerations cannot be brought into it.
>
> The Department of Social Welfare have however, been requested to examine the recommendation as it concerns that Department."

2.81. When this question was raised during evidence, the representative of the Department of Social Welfare stated that this was a matter of general policy. This was kept in mind while giving grants. It could be stipulated that for recruitment of Scheduled Castes and Scheduled Tribes, grants would be given. There might be some difficulty in the cases where grant-in-aid was given for a specific technical purpose. He further stated that, perhaps it would serve the purpose if some sort of direction was given saying that as far as possible, in cases like this, a certain amount of discretion might be used.

2.82. The representative of the Department further stated that various Ministries had been consulted for the implementation of this suggestion. The Ministry of Education was mainly concerned

with the giving of grants. The University Grants Commission had stated that, "Since teachers have a crucial role with a large multiplying effect on quality of education, efforts should be made to appoint the best available persons in the Universities and Colleges. In this connection, the Commission felt that it would not be in the interests of the Scheduled Castes and Scheduled Tribes themselves if any considerations are brought which would stand in the way of appointments to teaching posts, most qualified and competent persons."

2.83. The representatives of the Department of Social Welfare felt that there should be no legal objection to stipulating this condition in certain cases. However, where the purpose of giving the grants was specific, it would not be wise to impose any such conditions because then the efficiency might be affected.

2.84. The Committee would like the Ministry of Home Affairs| Department of Social Welfare to issue necessary instructions to various Ministries|Departments to stipulate the observance of the principle that all institutions which receive grants-in-aid from the Government should make reservations for Scheduled Castes and Scheduled Tribes in the posts under them.

M. Publication of a Brochure regarding reserved posts and Advertisements in Newspapers

2.85. The Seminar on Employment of Scheduled Castes and Scheduled Tribes held in January-February, 1964 recommended as follows:—

> "A small brochure containing information in respect of posts under the Central Government, Semi-Government and corporate bodies as also State Governments with regard to classification and training; experience and other conditions required, be published by Government of India and copies supplied to all educational institutions, Backward Classes' Hostels, Block Development Officers, voluntary organisations and vocational guidance officers. The Central Government should be willing to bear the expenditure which the State Governments might incur on this."

2.86. When this question was raised during evidence, the representative of the Department of Social Welfare informed the Committee that that Department had little facilities to undertake the work of bringing out a pamphlet containing information in respect of posts

under the Central Government, Semi-Government and Corporate Bodies as also State Governments together with qualifications, experience, and other conditions required for such posts. That Department did not have a Publication Section at all. The Directorate-General of Employment and Training, however, had been requested to assist the Department of Social Welfare in this matter. The draft pamphlet prepared by the Director-General of Employment and Training was almost ready, and it was hoped that it would be printed by the end of the current year. This would be an All-India pamphlet and relate to Central Government posts. The representative of the Department further suggested that the pamphlet should be printed regionwise rather than Statewise. The State Governments should also undertake this work. In reply to a further question, he stated that the pamphlet related to employment opportunities, the type of vacancies likely to arise, etc. In addition, the Directorate-General of Employment and Training also brought out general types of brochures showing employment opportunities for High School students, Middle School students and also for students from I.I.Ts.

2.87. So far as the advertisement of posts under the Union Public Service Commission were concerned the representative of the Department of Social Welfare stated that there was a long list of more than 100 newspapers including Hindi, English and other regional languages papers throughout the country prepared by the Ministry of Information and Broadcasting. According to that list, all advertisements were released throughout the country. So far as advertisements for posts other than those advertised by the Union Public Service Commission were concerned, the normal procedure was that the Employment Exchanges had to submit the names of candidates and if the persons were not found suitable then the posts were advertised in the local papers alone.

2.88. In a memorandum submitted to the Study Group of the Committee which visited Bangalore in June, 1969, it has been represented as follows:—

> "In order to disqualify the Scheduled Caste and Scheduled Tribe candidates a proviso is inserted while making recruitment and it reads thus:—
>
> 'if no suitable Scheduled Caste and Scheduled Tribe candidate is available the reserved post or posts will be treated as general.'
>
> This clause is a clause of convenience for the appointing authority to vitiate claims of the Scheduled Caste and

Scheduled Tribe candidates thereby rendering the constitutional provision inoperative to that extent."

2.89. When this question was raised during evidence, the representative of the Ministry of Home Affairs stated that if no mention was made in the advertisements published in the newspapers that if suitable candidates belonging to Scheduled Castes and Scheduled Tribes were not available the posts would be treated as general, then the non-Scheduled Castes|Tribes would not be eligible to apply and the posts would not be filled up at all if sufficient number of qualified Scheduled Castes|Tribes candidates do not apply for those posts. The posts will then have to be advertised again which will result in delay. To obviate the delay, it is mentioned in the advertisements that 'if suitable Scheduled Caste and Scheduled Tribe candidates are not available, the post will be treated as general'. The representative of the Ministry suggested that, "Suppose if we delete the words 'posts will be treated as general', and substitute the words 'posts will be carried forward', will it be all right? In this why recruitment would be made and the post would be carried forward."

2.90. The Committee consider it desirable that a brochure giving comprehensive information about the posts under the Central Government, etc. and training facilities, as suggested by the Seminar an Employment of Scheduled Castes and Scheduled Tribes should be published for the information of Scheduled Castes and Scheduled Tribes. The Department of Social Welfare or the Director-General, Employment and Training should undertake this work and publish it in English, Hindi and all regional languages.

2.91. As regards the form of advertisement the Committee do not agree with the alternative suggested by the representative of the Ministry of Home Affairs during evidence, as reproduced in para 2.85 above. They are of the opinion that the words "If no suitable Scheduled Caste and Scheduled Tribe candidates are available, the reserved posts will be treated as general" should not be included in the advertisements for posts reserved for Scheduled Castes and Scheduled Tribes. If as a result of an advertisement for the posts reserved for Scheduled Castes and Scheduled Tribes, enough Scheduled Caste and Scheduled Tribe candidates are not available, the posts should be advertised again.

2.92. The Committee further suggest that the specific number of posts reserved for Scheduled Castes and Scheduled Tribes should invariably be mentioned in all advertisements.

N. De-reservation of Posts

2.93. The Ministry of Home Affairs issued instructions to all Ministries|Departments regarding de-reservation of posts *vide* Ministry of Home Affairs Office Memorandum No. 31/10/63-SCT(1) dated the 27th March, 1963, relevant extracts from which are given below:—

> "..... Wherever, owing to continuing non-availability of suitable candidates belonging to Scheduled Castes and Scheduled Tribes, it becomes necessary to de-reserve a post included in the roster, a reference should be made to this Ministry indicating the steps taken to secure Scheduled Caste and Scheduled Tribe candidates and its prior approval obtained for deservation."

2.94. The Commissioner for Scheduled Castes and Scheduled Tribes in his Fourteenth Report (1964-65) has commented on the above orders of the Ministry of Home Affairs as follows:—

> "In order to ensure that the appointing authorities do not abuse the discretion vested in them the words "continuing indefinitely" should be clearly defined. Under the existing instructions, the appointing authorities will be free to de-reserve such a post on their own on the plea that they could not anticipate whether the post would continue indefinitely or would be made permanent. It is therefore necessary to limit the period of the posts which are allowed to be de-reserved by the appointing authorities themselves."

2.95. Prior to that, the Commissioner for Scheduled Castes and Scheduled Tribes had suggested in his Twelfth Report (1962-63) as follows:

> "..... the Ministry of Home Affairs should require all appointing authorities to endorse to this Organisation, a copy of the reference made to that Ministry, in regard to the de-reservation of posts. The Ministry of Home Affairs, in turn, may also endorse to this office their decisions on such references. It will also be helpful if copies of all other returns prescribe by the Ministry of Home Affairs, in connection with reservation orders, are endorsed to this Organisation. It is hoped that the Ministry of Home Affairs will issue necessary instructions,

in this behalf, so that the working of the important safeguard made in the Constitution, regarding services, is properly investigated."

2.96. The Ministry of Home Affairs replied to the above recommendation of the Commissioner as follows:

"222. According to the instructions in O.M. No. 31|10|63-SCT (I) dated 27th March 1963, cases of de-reservation in permanent and long-term temporary vacancies are required to be referred for prior approval to the Ministry of Home Affairs. The Ministry of Home Affairs are already exercising adequate checks in regard to such cases of de-reservation. Besides, in the Annual Statements submitted by Ministries etc. to the Ministry of Home Affairs the discrepancies found are communicated by this Ministry to the concerned offices and the administrative Ministry. A consolidated statement showing the total number of employees and the Scheduled Castes and the Scheduled Tribes amongst them, Ministry-wise and Class-wise, as on 1st January, is sent to the Commissioner every year which gives him an idea about the progressive intake of Scheduled Castes and Scheduled Tribes in services. These safeguards are enough and it is not considered necessary to ask the appointing authorities to endorse a copy of the references regarding de-reservation or of the annual returns to the Commissioner for Scheduled Castes and Scheduled Tribes. If there is excessive de-reservation in any Ministry the Commissioner can discuss the matter with the administrative Ministry concerned and the Home Ministry."

2.97. The Commissioner for Scheduled Castes and Scheduled Tribes again stressed the need for endorsing a copy to him of the references made by various Ministries to the Ministry of Home Affairs for de-reservation of posts. The Commissioner for Scheduled Castes and Scheduled Tribes recommended as follows in his Fourteenth Report (1964-65):—

"The Ministry of Home Affairs should reconsider their decision of not asking the appointing authorities to endorse to this Organisation a copy of the reference made to the Ministry of Home Affairs for de-reservation of posts and should accept the recommendation in this regard

which had been made with a view to helping in achievement of the objective of securing adequate representation of the Scheduled Castes and the Scheduled Tribes as contemplated in the Constitution. Besides, such information is required for the Annual Report of the Commissioner. It is, therefore, for consideration whether the Ministry of Home Affairs should decline to make available the information which the Commissioner for Scheduled Castes and Scheduled Tribes requires for the proper discharge of his duties under Article 338 of the Constitution."

2.98. The Ministry of Home Affairs accepted the above recommendation of the Commissioner and directed all Ministries|Departments *vide* their Office Memorandum No. 1|6|67-Ests (C) dated the 20th September, 1967 to endorse a copy to the Commissioner for Scheduled Castes and Scheduled Tribes of the references made to the Ministry of Home Affairs regarding dereservation of reserved vacancy|vacancies included in the roster for permanent appointments and temporary appoints likely to become permanent or continue indefinitely. The decision taken by the Ministry of Home Affairs could be ascertained by the Commissioner in due course from the Ministry/Department concerned. The Ministry of Home Affairs also directed the Ministries/Departments to inform the Commissioner for Scheduled Castes and Scheduled Tribes giving all details and reasons necessitating dereservation in cases where the purely temporary posts were dereserved by them.

2.99. The Commissioner for Scheduled Castes and Scheduled Tribes observed in his Seventeenth Report (1967-68) that:

"....it would be advisable, if the Ministry of Home Affairs, before agreeing to dereservation of posts, require the authorities concerned to indicate the number of applicants belonging to the Scheduled Castes and the Scheduled Tribes, who had applied for the posts and the specific reasons for rejecting them. At present all that the Ministry of Home Affairs appears to insist upon is compliance with the procedure laid down for inviting applications. Many cases of rejection of candidates for reserved vacancies without disclosure of the reasons for their rejection have come to notice. It is true that the appointing authorities do care that relaxed standards were applied. However, extent to which the standards were rela-

xed is never vouchsafed. In order to ensure that de-reservation is not secured on insufficient grounds, it is necessary to adopt the suggestions made above."

2.100. The Yardi Working Group in its Report (1967) recommended as follows:

"De-reservation in non-technical and quasi-technical posts should be allowed only in exceptional cases and each such case should be reported to the Commissioner for Scheduled Castes and Scheduled Tribes indicating the efforts made by the recruiting Department to get a suitable candidate".

2.101. The above recommendation has been accepted by the Ministry of Home Affairs and they have stated as follows:

".... orders have been issued to Ministries etc. inviting their attention to the already existing orders according to which each Ministry/Department is required to send to the Commissioner for Scheduled Castes and Scheduled Tribes a copy of the reference to the Home Ministry for de-reservation of vacancies reserved for Scheduled Castes| Scheduled Tribes included in the roster for permanent appointments and temporary appointments likely to become permanent or continue indefinitely. Also, in cases where the Ministries can dereserve vacancies with in their own powers, (*viz.*, vacancies reserved for SC|ST included in the roster for purely temporary appointments which have no chance of becoming permanent of continuing indefinitely), the Commissioner has to be informed about the dereservation made, giving all details and reasons necessitating the dereservation. Ministries etc. have also been asked to give full details in support of the proposals for dereservation. They have also been informed that for reserved vacancies in non-technical and quasi-technical posts, every effort should be made to recruit a candidate of the reserved category and de-reservation in such vacancies proposed/made only when such a course is found to be inescapable."

2.102. The Committee desired to know the number of cases of dereservation referred by the various Ministries|Departments to the Ministry of Home Affairs since the issue of orders on the 27th March, 1963. The Ministry of Home Affairs have furnished two

statements showing the number of cases of dereservation referred to the Ministry of Home Affairs by various Ministries during the year 1968 and 1969 (upto 14 August). These may be seen at Appendices VII & VIII. They have stated that, "Information for the period prior to 1968 is not available as instruction to the effect that references for dereservations should be made in a self-contained O.M. or U.O. were issued on 20th September, 1967."

2.103. The Ministry of Home Affairs have also furnished the following statement showing the number of vacancies dereserved by them during the years 1966-1968:

Grade	Year	Total number of vacancies	Vacancies reserved for		Vacancies dereserved and carried forward to the following year	
			Sch. Castes	Sch. Tribes	Sch. Castes	Sch. Tribes
			A CF	A CF		
Stenographers	1966	73	10+10	4+4	16	6
	1967	17	2+16	1+6	12	5
	1968	11	2+12	+5	4	1
L.D.C.	1966	217	27+5	11+8	9	16
	1967	64	8+9	3+16	6	14
	1968	51	7+6	3+4	6	6

A—Arising in the year.

CF—Carried forward from previous year.

(Reservation for Scheduled Castes and Scheduled Tribes in direct recruitment to the Grade of Section Officers and Assistants in the Central Secretarait Service is made on all Secretariat basis).

One post of Sepoy in S.S.F. has been dereserved due to non-availability of suitable person.

One post of Staff-car Driver has been dereserved during 1968 due to non-availability of suitable person.

2.104. So far as the Department of Social Welfare is concerned, that Department has stated that no posts in Class I and Class II have been dereserved during the years 1966-1968. In Class III, 8 clerical posts and 6 non-clerical posts in the Department of Social Welfare, Institutes for the Handicapped Persons and Pre-Vocational Training Centres have been dereserved during the said period as persons of required qualifications were not available.

2.105. The Committee have been informed during evidence that the posts which had remained unfilled were carried forward for two years and after that they were dereserved. Asked whether before dereserving a vacancy, the Ministry could write to the Employment Exchanges to try to fill in the vacancy by a Scheduled Caste or Scheduled Tribe, the representative of the Ministry of Home Affairs stated that, "It is a matter of policy decision. If policy is there, it can be done."

2.106. The Committee are unhappy that the Ministry of Home Affairs did not maintain statistics about the cases of dereservation referred by the various Ministries/Departments to them since the issue of orders dated the 27th March, 1963. From the statement furnished by the Ministry of Home Affairs for the years 1968-69 (upto 14th August) about the details and number of cases referred to them; the statement showing the number of vacancies dereserved by the Ministry of Home Affairs themselves; and the figures furnished by the Department of Social Welfare, it appears that a large number of Stenographers' and L.D.Cs. posts are being dereserved year after year. In this connection, the Committee would urge that the Ministry of Home Affairs should give serious consideration to the recommendation made by the Commissioner for Scheduled Castes and Scheduled Tribes in his 17th Report, vide para 2.99 above. The Committee also suggest that before the Ministry of Home Affairs agree to the dereservation of a particular post by a Ministry/Department, the matter should again be referred to the Employment Exchanges in order to explore the possibility of getting Scheduled Caste and Scheduled Tribe candidates.

O. Forwarding of applications of Scheduled Castes and Scheduled Tribes for employment elsewhere

2.107. It has been represented to the Committee that the applications of Scheduled Caste and Scheduled Tribe employees in a particular Ministry/Department for higher posts in other Ministry|Department are being withheld to the detriment of the Scheduled Castes and Scheduled Tribes. In this connection a particular case relating to a Research Officer in the Central Institute for Research and Training in D.G.E.T. was brought to the notice of the Committee which was referred to the Ministry of Labour, Employment & Rehabilitation (Department of Labour and Employment (D.G.E.T.). It was stated by the Ministry in a note furnished on 21st March, 1969 that, "...the orders in vogue in this Department prescribed that only one application in a year for an outside post be forwarded from non-technical employees of the Organisation. Before placing this restriction on the forwarding of applications, the Ministry of Home Affairs were consulted... The existing order

regarding forwarding of applications from employees of Directorate General of Employment and Training for posts elsewhere has since been reviewed and the general instructions issued by the Home Ministry have been made applicable subject to exigencies of work".

2.108. The Committee desired to have relevant orders on the subject from the Ministry of Home Affairs. The Ministry of Home Affairs have forwarded a copy of the instructions issued in this regard *vide* Office Memorandum No. 1|6|64-SCT. I, dated the 19th March, 1964, the relevant extracts from which read as follows:

> ". . . . instructions which are applicable to Central Government servants other than 'Scientific and technical personnel' provide that applications for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes and Scheduled Tribes should be readily forwarded except in very rare cases where there may be compelling grounds of public interest for withholding such applications. The withholding of applications should be the exception rather than the rule in the case of employees belonging to Scheduled Castes and Scheduled Tribes who should be afforded every facility to improve their prospects. So far as Scientific and technical personnel are concerned, the instructions as modified in this Ministry's Office Memorandum No. 70/10/60-Ests(A), dated the 9th May, 1960 and No. 70/60/62-Ests(A), dated the 25th February, 1963 are to be followed. Since the representation of Scheduled Castes and Scheduled Tribes is still low particularly in higher posts, it is advisable that employees belonging to Scheduled Castes and Scheduled Tribes are afforded facilities to improve their prospects. The Ministry of Finance etc. are therefore requested kindly to issue instructions to the authorities concerned to strictly follow the orders....."

2.109. The Committee note that the orders of the Ministry of Home Affairs regarding forwarding of applications by Scheduled Castes and Scheduled Tribes provide that "applications for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes and Scheduled Tribes should be readily forwarded except in very rare cases where there may be compelling grounds of public interest for withholding such applications". The Committee desire that the Ministry of Home Affairs should impress upon the Ministries/Departments of the Government of India that applications for employment elsewhere of temporary or permanent Scheduled Castes and Scheduled Tribes should be

forwarded as a matter of course. Instances where the applications cannot be forwarded should be referred to the Ministry of Home Affairs.

P. Implementation of Orders of the Ministry of Home Affairs

2.110. During evidence, the representative of the Ministry of Home Affairs stated that Ministry had issued from time to time instructions to all the Ministries and Departments about the reservations to be made for the Scheduled Castes and Scheduled Tribes in the Public Services. It was thought that these instructions would be fully implemented. However, it was found that there were certain difficulties in the matter of interpretation of many of the instructions issued in this behalf. In the implementation procedure itself, there was certain lacunae. Fresh instructions were issued in this behalf and Officers of the rank of Deputy Secretary had been appointed as Liaison Officers in all the Ministries to ensure the strict implementation of the orders. The Ministry, however, felt that the instructions were by and large, being implemented and where it was found that the instructions had not been implemented, the Ministry of Home Affairs brought it specifically to the notice of the concerned Ministry.

2.111. Asked whether the Government were able to fulfil the reservations made for Scheduled Castes and Scheduled Tribes, the representatives of the Ministry of Home Affairs stated that they were able to fulfil practically all the posts reserved for the Scheduled Castes and in most of the cases they were also able to get Scheduled Tribes. It might be that they were not evenly spread out.

2.112. Asked whether there was any check on the proper implementation of Government orders with regard to the appointment of Scheduled Castes and Scheduled Tribes, the representative of the Ministry of Home Affairs stated that while considering this aspect, Government must take a broad picture into consideration. It had been suggested to the Ministries to have an in-built system of checks. In addition to the appointment of Liaison Officers in each Ministry, the Ministry of Home Affairs also received annual reports from all the Ministries. If any lacuna or gap between reservations and actual appointments, was found, it is brought to the notice of the Ministry concerned. The Ministry of Home Affairs also followed up those cases so that the gap was filled up as early as possible.

2.113. The Committee desired to have a statement showing the quota fixed for Scheduled Castes and Scheduled Tribes and appointed to I.A.S., I.P.S. and the Indian Forest Service on the basis of the

examinations held during 1964—68. The Ministry of Home Affairs have submitted the following figures:

Year of Examination	Total appointed	Quota fixed for S.C.	No. of Scheduled Castes appointed	Quota for Scheduled Tribes	No. of Schedu e Tribes appointed
1	2	3	4	5	6
I.A.S.					
1964	129	16	16	6	6
1965	138	17	17	6	6
1966	140	17	17	6	6
1967	21	15	15	6	6
1968	100	14	14	4	4
I.P.S					
1964	74	9	9	3	3
1965	88	11	11	4	4
1966	95	11	11	4	4
1967	80	10	10	4	4
1968	65	11	11	4	4
INDIAN FOREST SERVICE					
1967	50	6	6	3	3
1968	44	6	6	2	2

2.114. In reply to unstarred Question No. 1843 regarding the number and percentage of Class I Officers belonging to the Scheduled Castes and Scheduled Tribes in the All-India Services, the Minister in Ministry of Home Affairs stated as follows:

"The information as on 1st January, 1969, regarding Scheduled Castes and Scheduled Tribes is given below:

	Scheduled Castes		Schedu ed Tribes e	
Indian Administrative Service.	163	6%	65	
Indian Police Service	89	6%	27	2%
Indian Forest Service.	17	2%	10	1%

No information is available regarding other backward classes."

2.115. So far as the Central Secretariat Services are concerned the position as stated in the Sixteenth (1966-67) and Seventeenth (1967-68) Reports of the Commissioner for Scheduled Castes and Scheduled Tribes, is as follows:

Grade	Number of vacancies reserved for		Number of reserved posts actually filled by direct recruitment from		Remarks
	Scheduled Castes	Scheduled Tribes	S.C.	S.T.	
As in 1966					
Section Officers On the basis of I.A.S. etc. examination 1965 .	2	1	2		One candidate belonging to Scheduled Tribe was offered appointment but he did not join.
Assistants On the basis of Assistants' Grade Examination, 1965 .	12	4	12	*4	*One has since resigned.
Stenographer (Grade II) on the basis of 1965 Examination . .	95	38	5		
Lower Division Clerks on the basis of 1965 Examination.	179	82	146	1	

Grade	Total Number of Vacancies filled by direct recruitment	Number of vacancies reserved for Scheduled Castes	Number of Vacancies reserved for Scheduled Tribes	Number of reserved posts actually filled by direct recruitment from Scheduled Castes	Number of reserved posts actually filled by direct recruitment from Scheduled Tribes	Remarks
As in 1967						
Section Officers On the basis of I.A.S. etc. Examination, 1966	12	2	2	2	2	
On the basis of I.A.S. etc. (Released EC/SSCO) Examination, 1966 . .	3	1	1			
Assistants on the basis of Assistants' Grade Examination 1966. . .	33	4	9	4	9	
Stenographers on the basis of Grade II of C.S.S.S. Examination, 1966. .	70	83	33	4*	*	
Lower Division Clerks on the basis of Lower Division Clerks' Examination 1966. . .	985	156	115	156	1*	

2.116. The Committee on Untouchability, Economic and Educational Development of Scheduled Castes (Elayaperumal Committee) in its Report (1969) has given statistics regarding the number of vacancies, number of applicants and the number of candidates recommended for employment by the U.P.S.C. on the results of the examinations held during the years 1963-64, 1964-65 and 1965-66 in regard to some other All-India Services Examinations. These are reproduced below:

Name of Examination	Year	No. of vacancies		No. of applicants		No. of candidates recommended for appointment	
		Total	S.C.	Total	S.C.	Total	S.C
1. Combined Engineering Services Examination, 1963 . .	1963-64	364	61	1,837	56	355	8
2. Do. 1964 .	1964-65	377	83	1,969	7	402	10
3. Do. 1965 .	1965-66	377	83	1,969	7	402	10
4. Engineering Services (Electronics) Examination, 1963	1963-64	254	44	354	5	84	1
5. Do. 1964 .	1964-65	278	42	384	8	121	1
6. S.C.R.A. Examination, 1963 .	1963-64	20	2	1,080	84	20	2
7. Do. 1964 .	1964-65	18	2	1,073	75	18	2
8. Do. 1965 .	1965-66	15	2	869	65	15	2
9. Geologists Examination, 1964 .	1963-64	182	38	762	8	182	1
10. Do. 1965 .	1964-65	107	14	577	4	109	2
11. Do. 1966 .	1965-66	109	14	550	5	107	2

On the basis of the above statistics, that Committee has observed that the U.P.S.C. "have not been able to recommend adequate number of candidates belonging to the Scheduled Castes. The shortage is particularly noticeable in the case of the combined Engineering Services Examination, Engineering Services (Electronics) Examination and Geologists Examination."

2.117. The Committee are distressed to note that poor intake of Scheduled Caste and Scheduled Tribe candidates in Indian Foreign Service, I.A.S., I.P.S., Indian Forest Service, Central Secretariat

Service as well as all other services as stated in paragraphs 2.114 and 2.116 above. Considering the fewer number of Scheduled Caste and Scheduled Tribe Officers in these services, the Commitee cannot help concluding that the orders/instructions of the Ministry of Home Affairs regarding reservations made for Scheduled Castes and Scheduled Tribes in public services are not being implemented properly. They would, therefore, suggest that the position regarding the intake of Scheduled Caste and Scheduled Tribe candidates in public services should be kept under constant watch by the Institute of Manpower Research under the Ministry of Home Affairs as well as by the Planning Commission.

2.118. The Committee also feel that while sending their demands to the U.P.S.C. etc., the concerned Ministries/Departments should furnish to them a certificate certifying that the number of vacancies reserved for Scheduled Castes and Scheduled Tribes as mentioned in their requisition, is in accordance with the quota due for these communities.

2.119. The Committee also would like the Ministry of Home Affairs to consolidate the orders issued so far regarding the reservations for Scheduled Castes and Scheduled Tribes and publish the same in the form of a simple and self-contained brochure.*

2.120. The Committee also feel that the Department of Social Welfare, which is the Department primarily meant for the welfare of Scheduled Castes and Scheduled Tribes has an important role to play in this respect. That Department should work in close collaboration with the Ministry of Home Affairs and the Director-General of Employment and Training so that the shortfalls in recruitments can be rapidly made up.

Q. Representation of Scheduled Castes and Scheduled Tribes in Unions/Service Associations

2.121. Asked during evidence whether Government would recognise the Unions/Service Associations of Scheduled Caste and Scheduled Tribe employees, the representative of the Ministry of Home Affairs stated that Government did not recognise Unions/Service Associations which were formed on the basis of caste or community.

2.122. **The Committee consider that in view of the meagre representation of Scheduled Caste and Scheduled Tribes in public services, it is desirable to accord recognition to Unions/associations of Scheduled Castes and Scheduled Tribes which are of all-India character.**

---

*At the time of factual verification, the Ministry of Home Affairs has stated as follows :—

"The Brochure on reservations for Scheduled Castes and Scheduled Tribes by the Ministry of Home Affairs has since been printed."

CHAPTER III

RESERVATION IN POSTS FILLED BY PROMOTION

A. Inclusion of Scheduled Caste/Tribe Officer in the Departmental Promotion Committees

3.1. It has been stated that the Ministries/Departments/Offices concerned have set up Departmental Promotion Committees to assess the suitability and merit of departmental candidates for promotion, etc. These Committees are ordinarily manned by the department officers concerned. A Member of the Union Public Service Commission is also stated to be associated with these Promotion Committees in cases where the Commission is required to be consulted. The membership of the Departmental Promotion Committees is generally decided by designations keeping in view the seniority and suitability of such officers in the Ministry/Department/Office. The members of the Departmental Promotion Committees keep in view the orders issued by the Ministry of Home Affairs from time to time in regard to representation of Scheduled Castes and Scheduled Tribes in services.

3.2. The Committee feel that with a view to make these Departmental Committees (promotion, selection, etc.) more representative, a Scheduled Caste/Tribe officer should also be included in each of these Committees set up by various Ministries/Departments/Offices.

B. Promotions by Selection Method

3.3. The Yardi Working Group in its Report (1967) recommended as follows:

> "As merit is an essential condition in the higher posts which require initiative, judgement and administrative abilities, promotions should be made by selection of the best candidates available in the field of promotion. In promotion by selection to posts upto Class II, the claims of Scheduled Caste employees should be considered in their own turn on the basis of seniority provided they fulfil the minimum requirements for promotion to the next higher post. They should not be superseded by non-Scheduled Caste junior officers who may have been graded better than them but by only one degree. However, Scheduled Caste employees

should not be promoted on the above concession to more than 25 per cent of the vacancies in a year."

3.4. In the statement showing action taken by the Ministry of Home Affairs on the above recommendation, the Ministry of Home Affairs have stated as follows:

"The recommendation has been accepted and orders issued *vide* Ministry of Home Affairs O.M. No. 1|12|67-Ests(C) dated 11-7-1968."

3.5. The text of the Office Memorandum is given in Appendix IX.

3.6. In this connection, the Commissioner for Scheduled Castes and Scheduled Tribes recommended in his Fifteenth Report (1965-66) as follows:—

"In the case of promotion of Scheduled Castes and Scheduled Tribes by pure selection, the following principles be adopted, namely:

(a) in respect of confidential reports, the gradation of 'Good' earned by Scheduled Caste|Scheduled Tribe candidates during the three years immediately before the year of selection should be treated as equivalent to 'Very Good' and even 'Outstanding' earned by others.

(b) wherever a senior enough Scheduled Caste|Tribe officer is available, either in the parent department or in some other department at the same station, that officer may be associated with the Selection Board for the purpose of selection.

(c) the field of selection may be increased from five to ten times of the vacancies in the case of the Scheduled Castes| Scheduled Tribes."

3.7. Asked whether Government would consider the question of increasing the field of eligibility for the posts, the representative of the Ministry stated during evidence that the rule of eligibility, *i.e.* selection of one candidate out of five had been framed after great consideration. The underlying idea was that one out of five would give sufficient choice to get good and deserving candidates. He felt that it would be possible to get Scheduled Caste and Scheduled Tribe candidates within that limit.

3.8. The Committee note the orders issued by the Ministry of Home Affairs regarding reservations to be made for Scheduled Caste and Scheduled Tribe employees in promotions to be made by selection as also for filling up vacancies by Scheduled Caste and Scheduled Tribe employees. The Committee feel that the observations made by the Commissioner for Scheduled Castes and Scheduled Tribes in his Thirteenth Report (1963-64) (para 20.4, 20.5 and 20.6) merit close and careful consideration. They are of the opinion that the orders relating to the posts filled by promotion should be made applicable to all categories of posts and services.

3.9 The Committee also agree with the recommendation made by the Commissioner for Scheduled Castes and Scheduled Tribes, in his Fifteenth Report (1965-66) that the field of selection in the case of Scheduled Castes and Scheduled Tribes may be increased, from five to ten times of the vacancies to be filled so that they may have better chances of promotion to higher posts.

C. Promotions on the basis of Seniority

3.10. It has been stated that there are no reservations for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority, subject to fitness, but cases involving supersession of Scheduled Caste and Scheduled Tribe Officers in Class I and Class II appointments are to be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Caste and Scheduled Tribe Officers in Class III and Class IV appointments are to be reported within a month to the Minister or Deputy Minister concerned for information.

3.11. The Commissioner for Scheduled Castes and Scheduled Tribes observed in his Fifteenth Report (1965-66) that "Where promotion is based on seniority-cum-fitness, the existing safeguard that cases of supersession should be referred to the Minister incharge of the Administrative Ministry/Department concerned, is by and large, satisfactory and may be given trial for sometime more by which time a fairly representative picture will emerge."

3.12. It has been stated in the Sixteenth Report (1966-67) of the Commissioner for Scheduled Castes and Scheduled Tribes, that as many as 190 cases of supersession of Scheduled Caste and Scheduled Tribe employees had been reported by some of the Ministries

Departments of the Government of India during the year 1966-67. The break-up of the same Ministry-wise is as follows:—

Ministry of Defence	42
Ministry of Works, Housing & Supply	15
Ministry of Railways	116
Ministry of Food & Agriculture	
Ministry of Education	10
Department of Communications	1
TOTAL	190

3.13. The number of cases of supersession during the year 1967-68 are reported to be 59, as mentioned in the Seventeenth Report (1967-68) of the Commissioner for Scheduled Castes and Scheduled Tribes, the details of which are as follows:

Ministry of Home Affairs	1
Ministry of Finance	2
Ministry of Education	10
Ministry of Defence	15
Audit Offices	31
TOTAL	59

The Commissioner has also stated in the said Report that, "Similar information has not been made available by other Ministries and Offices. Out of 59 cases of supersession, 25 related to selection posts and the remaining to non-selection posts. In some cases, the cases of supersession were not reported to the concerned Minister/ Deputy Minister as required under the existing instructions issued by the Ministry of Home Affairs. It is necessary to issue suitable instructions to the Liaison Officers to ensure proper compliance of the orders issued in this behalf."

3.14. The Committee are unhappy to find that there have been a large number of cases of supersession of Scheduled Caste and Scheduled Tribe employees during the last two years. They are all the more unhappy to learn that in some cases, the details about supersessions were not reported to the concerned Minister/Deputy Minister, as required under the existing instructions issued by the Ministry of Home Affairs. The Committee would like the Ministry

of Home Affairs to ensure that such lapses on the part of the Ministries/Departments, where supersessions take place, do not recur.* They would further suggest that all supersessions made in each Ministry/Department, together with detailed reasons therefor, should be simultaneously reported to the Commissioner for Scheduled Castes and Scheduled Tribes as well as to the Ministry of Home Affairs.

3.15. The Committee suggest that Government may examine whether there should be reservations for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority, subject to fitness.

D. Reservations in Union Territories

3.16. The Ministry of Home Affairs have furnished a statement showing the total number of Government employees and the number of Scheduled Castes and Scheduled Tribes amongst them under the Union Territories Governments|Administrations, which may be seen at Appendix XI.

3.17. Asked about the poor intake of Scheduled Castes and Scheduled Tribes in public services in Union Territories, the Ministry of Home Affairs have furnished a note which reads as follows:—

> "Under the existing orders, where direct recruitment is made to Class III and Class IV posts normally attracting candidates from a locality or a region, the reservation has to be provided for Scheduled Castes and Scheduled Tribes in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective States|Territories subject to a minimum of 5 per cent being provided to Scheduled Tribes. Thus, in a territory of State, even if there are no Scheduled Tribes or even if the proportion of Scheduled Tribes in the total population is negligible, still 5 per cent of the vacancies have to be reserved for candidates of Scheduled Tribes. In the Union Territories of Delhi and Goa, the population of Scheduled Tribes according to 1961-Census is nil. Similarly, in the erstwhile Punjab State, the population of Scheduled Tribes constituted only 6 per cent and this percentage can be presumed to be valid even for Chandigarh also. Thus, it can be seen that even though the Scheduled Tribes in the Union Territories of Delhi, Goa and Chandigarh are either

*Ministry of Home Affairs have since issued instructions to the Ministries etc. with reference to the recommendation of the Commissioner for Scheduled Castes and Scheduled Tribes relating to supersession of Scheduled Castes and Scheduled Tribes employees *vide* Office Memorandum No. 16-8-69 Est (SCT), dated the 31st October, 1969. The said Office Memorendum may be seen at Appendix X.

non-existent or negligible, still 5 per cent of the vacancies in the categories of Class III and Class IV have been reserved for them. It is, therefore, natural that there should be an imbalance between the reserved vacancies and the available Scheduled Tribes candidates in these areas. This imbalance could have been reduced if the Scheduled Tribes candidates from other areas were willing to move over to these Territories. However, such mobility does not appear to be taking place. In respect of the Union Territory of Tripura, the matter is being examined in consultation with the Directorate General of Employment & Training."

3.18. Asked whether the Union Territories had been directed to appoint Liaison Officers, the representative of the Ministry of Home Affairs stated during evidence that the instructions relating to the Liaison Officers applied to the Union Territories also but those relating to setting up of Committees were only limited to States.

3.19. The Committee are unhappy to note the poor intake of Scheduled Castes and Scheduled Tribes in public services in almost all the Union Territories|Administrations. They suggest that Government should take positive steps to increase the intake of Scheduled Caste candidates against the vacancies reserved for Scheduled Tribes in those Union Territories/Administrations where adequate number of Scheduled Tribe candidates is not available.

3.20. The Committee would also like the Ministry of Home Affairs to impress upon the Union Territories/Administrations to appoint Liaison Officers, if not already appointed, so that the service interests of the Scheduled Castes and Scheduled Tribes could be watched properly.

E. Promotions by Transfer or Deputation

3.21. The Commissioner for Scheduled Castes and Scheduled Tribes in his Thirteenth Report (1963-64) recommended as follows:

"It is suggested that an authoritative opinion of the Law Officers of the Government of India may be obtained not only in regard to the exact interpretation of Article 335 but also of Article 320(4) of the Constitution in so far as representation in the posts filled by transfer, deputation or promotion is concerned."

3.22. The Ministry of Law, who were consulted by the Ministry of Home Affairs tendered the following advice in the matter:

"Transfer on deputation is usually made with due regard to various factors, the main consideration being the suitability of the officers concerned for the post in question.

A reservation of such posts may not be practicable or even desirable. However, administrative orders can, if so desired, be issued impressing upon the authorities concerned the need for considering the claims for Scheduled Castes and Scheduled Tribes also along with others whenever there is a proposal for deputation of any officers, provided there are suitable officers of those categories available for consideration."

3.23. The Commissioner for Scheduled Castes and Scheduled Tribes also observed in his Fourteenth Report (1964-65) as follows:

"The question of applying reservation orders to ex-cadre posts should be reconsidered and fresh orders issued requiring the appointing authorities to apply the reservation orders to posts which are, according to the Recruitment Rules, filled on deputation."

3.24. In the statement, showing action taken on the above recommendation of the Commissioner by the Ministry of Home Affairs, it has been stated as follows:

"As the reservations have already been provided in the original posts/services from which persons are to be deputed to the ex-cadre posts, it does not seem necessary to provide reservation for Scheduled Castes and Scheduled Tribes in ex-cadre posts which are filled on deputation....."

3.25. In this connection, the Ministry of Home Affairs issued instructions *vide* their O.M. No. 16|2|67-Estt(C), dated the 27th September, 1967 suggesting that whenever a Ministry/Department proposed to depute in the public interest an officer serving in or under them to a post in or under another Ministry/Department etc., the Scheduled Caste/Scheduled Tribe employees serving in or under the Ministry/Department concerned, who were eligible to be sent on deputation should also be considered, along with other eligible employees, for such deputation.

3.26. The Committee have also been informed during evidence that, "Ex-cadre posts are posts outside the cadre. These are filled by deputing cadre officers. So, the question of reservation in ex-cadre posts does not arise. These are only deputation posts and are not posts created separately to be filled by direct recruitment." In reply to a question, the representative of the Ministry of Home Affairs stated that if these posts continued for a long period, then they became a part of the cadre and then the proportion of reservation applied to them.

3.27. The total number of ex-cadre posts (including P.As. and Private Secretaries etc.) in the Ministry of Home Affairs have been stated to be 38, out of which two are being held by Scheduled Castes. In the case of Department of Social Welfare, there are 26 such posts, out of which only one is being held by a Scheduled Caste.

3.28. Having considered the figures supplied by the Ministry of Home Affairs and the Department of Social Welfare regarding the number of ex-cadre posts being held by Scheduled Castes and noting that not a single Scheduled Tribe is holding such a post in either the Ministry of Home Affairs or the Department of Social Welfare, the Committee cannot but conclude that the instructions of the Ministry of Home Affairs, as mentioned in Para 3.25 above, have had no impact in this behalf. The Committee feel that there should be no practical difficulty in providing for reservations for Scheduled Castes and Scheduled Tribes in the ex-cadre and deputation posts. Unless this is done, the Scheduled Castes and Scheduled Tribes will never get their due representation in such posts as the past experience has shown. The Committee, therefore, recommend that necessary reservations for Scheduled Castes and Scheduled Tribes should also be provided in the ex-cadre and deputation posts.

NEW DELHI;
January 27, 1969.
Magh, 7, 1891 (*S*).

D. BASUMATARI,
Chairman,
Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

APPENDIX I

(Vide para 1.10 of the Report)

Statement showing the recommendations made by the High Power Committee and the action taken/proposed to be taken by Government

Sl. No.	Recommendation	Action taken/proposed to be taken
1	The Committee recommended that the percentages of reservations for Scheduled Castes and Scheduled Tribes be revised as per their proportion in the population on the basis of the 1961 Census.	The matter is being considered.
2	The Committee suggested that there should be a small Cell in each major Ministry to secure proper enforcement of the orders of reservations in services and posts in and under each Ministry.	Necessary instructions were issued to Ministries/Departments and almost all of them have set up Cells.
3	The Committee reviewed the position with regard to the non-appointment of Liaison Officers by the Ministries /Departments and recommended that the matter be pursued vigorously.	Liaison Officers have since been appointed by all Ministries/Departments.
4	The Committee recommended that the question of adoptation of orders of reservation by the Statutory Bodies/Public Undertakings which have not yet agreed to do so, should be pursued at Minister's level.	Necessary action is being taken.
5	The Committee agreed with the proposal for utilising vacancies reserved for one community when suitable candidates of that community are not available. for the recruiment of the candidates of the other community without future adjustments at the stage when the reserved vacancies would have otherwise lapsed. having been already carried forward for two recruitment years. It was also agreed that the period for carrying forward the reserved vacancies be increased to three years.	The matter is being considered further.
6	The Committee recommeded the setting up of additional training centres for imparting pre-examination training to intending candidates belonging to Scheduled Castes/Scheduled Tribes for the various competitive examinations for	Necessary action is being taken by the Department of Social Welfare.

APPENDIX II

(*Vide* para 1.16 of the Report)

List of Ministries|Departments etc. where liaison Officers have been nominated

1. Department of Atomic Energy.
2. Ministry of Commerce.
3. Department of Communications.
4. Director General, Posts and Telegraphs.
5. Ministry of Defence.
6. Ministry of Education.
7. Ministry of External Affairs.
8. Ministry of Finance.
9. Ministry of Food, Agriculture, Community Development and Cooperation.
10. Ministry of Health, Family Planning and Urban Development.
11. Ministry of Home Affairs.
12. Ministry of Industrial Development & Company Affairs.
13. Ministry of Information and Broadcasting.
14. Ministry of Irrigation and Power.
15. Ministry of Labour, Employment & Rehabilitation.
16. Ministry of Law.
17. Ministry of Petroleum and Chemicals.
18. Ministry of Railways.
19. Ministry of Steel, Mines and Metals.
20. Ministry of Transport & Shipping.
21. Ministry of Works, Housing and Supply.
22. Cabinet Secretariat.
23. Department of Parliamentary Affairs.
24. President Secretariat.
25. Prime Minister's Secretariat.
26. Planning Commission.
27. Union Public Service Commission.
28. Administrative Reforms Commission.
29. Department of Social Welfare.
30. Comptroller and Auditor General of India.
31. Ministry of Tourism and Civil Aviation.

APPENDIX III

(*Vide* para 2.1. of the Report)

MINISTRY OF HOME AFFAIRS

RESOLUTION

New Delhi, the 13th September, 1950

No. 42|21|49-NGS.—The policy of the Government of India in regard to communal representation in the services immediately before the coming into force of the new Constitution was that in appointments made by open competition 12½ per cent of the vacancies filled by direct recruitment were reserved for candidates belonging to the Scheduled Castes while in regard to posts and services for which recruitment was made otherwise than by competition the principal communities in the country were given appointments in proportion to their population. Certain reservations were also made for Anglo-Indians in services with which they had special past associations.

2. The Government of India have now reviewed their policy in this regard in the light of the provisions of the Constitution of India which lay down *inter alia* that with certain exceptions no discrimination shall be made in the matter of appointments to the Services under the State on grounds of race, religion, caste, etc. The exceptions are that special provision shall be made for Scheduled Castes and Scheduled Tribes in all Services and for *Anglo-Indian in these services in which they had special reservations on the 14th August, 1947. Pending the determination of the figures of population at the Census of 1951 the Government of India have decided to make the following reservations in recruitment to posts and services under them:—

(a) *Scheduled Castes.*—The existing reservation of 12½ per cent of vacancies filled up direct recruitment in favour of the Scheduled Castes will continue in the case of recruitment of posts and services made, on an all-India basis, by open competition, *i.e.*, through the Union Public

*This reservation in service under Government for Anglo-Indians, ceased from 26th January, 1960 in view of the provisions of Article 336 of the Constitution.

Service Commission or by means of open competitive tests held by any other authority. Where recruitment is made otherwise than by open competition the reservation for Scheduled Castes will be 16·2|3 per cent as at present.

(b) *Scheduled Tribes.*—Both in recruitment by open competition and in recruitment made otherwise than by open competition there will be a reservation in favour of members of Scheduled Tribes of 5 per cent of the vacancies filled by direct recruitment.

(c) **Anglo-Indians.*—The reservations which were in force in favour of Anglo-Indians in the Railway Services, the Posts and Telegraphs Department and the Customs Department on the 14th August, 1947, will be continued subject to the provisions of Article 336 of the Constitution.

3. The reservations prescribed in the previous paragraph will apply in the case of recruitment made on an all-India basis. Under the Constitution all citizens of India are eligible for consideration for appointment to posts and services under the Central Government irrespective of their domicile or place of birth and there can be no recruitment to any Central Service which is confined by rule to the inhabitants of any specified area. In practice however recruitment to Class I and Class II Services and posts is likely to attract candidates from all over India and will be on a truly all-India basis, while for the majority of Class III services and posts which are filled otherwise than through the Union Public Service Commission only those residing in the area or locality in which the Office is located are likely to apply. In the latter class of cases the percentages of reservations for Scheduled Castes and Scheduled Tribes will be fixed by Government taking into account the population of the Scheduled Castes and Scheduled Tribes in that area.

4. (1) The orders regarding reservation of vacancies in favour of the various communities will not apply recruitment by promotion which will continue to be made as heretofore irrespective of communal considerations and on the basis of seniority and|or merit as the case may be.

(2) In all cases a minimum standard of qualifications will be prescribed and the reservations will be subject to the over-all condition that candidates of the requisite communities possessing the

*This reservation in service under Government for Anglo-Indians, ceased from 26-1-1960 in view of the provisions of Article, 336 of the Constitution.

prescribed qualifications and suitable in all respects for the appointment in question, are forthcoming in sufficient numbers for the vacancies reserved for them.

(3) The maximum age limits prescribed for appointment to a service or post will be increased by three years in case of candidates belonging to the Scheduled Castes and Scheduled Tribes and the fees prescribed for admission to any examination or selection will be reduced to one-fourth in their case.

(4) For the purposes of these orders, a person shall be held to be a member of the Scheduled Castes or the Scheduled Tribes, as the case may be, if he belongs to a caste or a tribe which under the Constitution (Scheduled Castes) Order, 1950, or under the Constitution (Scheduled Tribes) Order, 1950, has been declared to be Scheduled Caste or a Scheduled Tribe for the area in which he and|or his family ordinarily reside(s). Separate instructions will issue declaring the Castes and Tribes which should be considered as Scheduled Castes and Scheduled Tribes for the purpose of these orders in Part C States and Part D Territories.

(5) These orders are applicable to all services under the control of the Government of India including posts and services in States in Part C of the First Scheduled to the Constitution and will be deemed to have come into effect on the 26th January, 1950.

5. The orders contained in the Ministry of Home Affairs Resolution No. 16|10|47-Estt., dated the 21st August, 1947, Office Memorandum No. 31|93|47-Estt., dated the 22nd August, 1947 and other orders issued on the basis of those orders are hereby cancelled.

ORDER: ORDERED that a copy of the Resolution be communicated to all Ministries of the Government of India, all Chief Commissioners, the Cabinet Secretariat, the Prime Minister's Secretariat, the Partition Secretariat, Directorate General of Resettlement and Employment, Principal I.A.S., Training School, Director, Secretariat Training School, Commandant, Police Training College, Mount Abu, Director, Intelligence Bureau, and the Union Public Service Commission, for information and guidance; and Supreme Court of India, the Comptroller and Auditor General and all State Government for information and also that the Resolution be published in the Gazette of India.

Sd|- S. B. BAPAT,
Joint Secretary.

No. 1|13|63-SCT (I) dated the 21st December, 1963.

Copy forwarded to:—

All Attached and Subordinate Office of the Ministry of Home Affairs (with 6 spare copies to Sectt. Training School).

All Union Territories; and

Ad. I. Ad. II. SSO, AIS (I), CSSS Ests (D), ER. II, P. I., P. II. P. III and Hindi Sections of the Ministry of Home Affairs.

Sd|- M. P. RODRIGUES,
Under Secretary to the Govt. of India.

APPENDIX IV

(*vide* para 2.19. of the Report)

A. *Model Roster for posts filled by direct recruitment on all India basis by open competition*

Point on the Roster	Whether Unreserved or Reserved for	Point in the Roster	Whether unreserved or reserved for
1	Scheduled Castes	21	Scheduled Tribes
2	Unreserved	22	Unreserved
3	Unreserved	23	Do.
4	Scheduled Tribes	24	Do.
5	Unreserved	25	Scheduled Tribes
6	,,	26	Unreserved
7	,,	27	Do.
8	,,	28	Do.
9	Scheduled Castes	29	Do.
10	Unreserved	30	Do.
11	,,	31	Do.
12	,,	32	Do.
13	,,	33	Scheduled Castes
14	,,	34	Unreserved
15	,,	35	Do.
16	,,	36	Do.
17	Scheduled Castes	37	Do.
18	Unreserved	38	Do.
19	,,	39	Do.
20	,,	40	Do.

NOTE.— If there are only two vacancies to be filled on a particular occasion, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If, on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent two recruitment years.

B. *Model Roster for posts filled by direct recruitment on all India basis otherwise than by open competition*

Points on the Roster	Whether Unreserved or Reserved for	Point on the Roster	Whether Unreserved or Reserved for
1	Scheduled Tribes	21	Unreserved
2	Unreserved	22	Scheduled Tribes
3	,,	23	Unreserved
4	Scheduled Castes	24	Unreserved
5	Unreserved	25	Scheduled Castes
6	,,	26	Unreserved
7	Scheduled Castes	27	,,
8	Unreserved	28	,,
9	,,	29	,,
10	,,	30	,,
11	,,	31	Scheduled Castes
12	,,	32	Unreserved
13	Scheduled Castes	33	,,
14	Unreserved	34	,,
15	,,	35	,,
16	,,	36	,,
17	,,	37	Scheduled Castes.
18	,,	38	Unreserved
19	Scheduled Castes	39	,,
20	Unreserved	40	,,

NOTE.—1. In every third cycle of the above roster the 37th point will be treated as unreserved.

2. If there are only two vacancies to be filled on a particular occasion, not more than one may be treated as reserved and if there be only one vacancy, it should be treated as unreserved. If, on this account, a reserved point is treated as unreserved, the reservation may be carried forward to the subsequent two recruitment years.

C. Statement showing the actual points to be reserved for Scheduled Castes and Scheduled Tribes in a 40 point roster where recruitment is made on a local or regional basis.

Sl. No.	Name of States/Union Territory	Actual points to be reserved in a 40 point roster	
		Scheduled Castes	Scheduled Tribes
1	Andhra Pradesh	1, 8, 15, 24, 29, 36	4, 21
2	Assam	4, 19	1, 7, 11, 15, 22, 26, 31, 36
3	Bihar	1, 9, 17, 25, 33	4, 12, 22, 30
4	Guiarat	4, 15, 28	1, 9, 19, 25, 33
5	Karala	1, 11, 25, 32	4, 21
6	Madhya Pradesh	4, 10, 16, 25, 31, 38	1, 7, 13, 19, 22, 28, 34, 36
7	Madras	1, 7, 13, 19, 25, 31, 57	4, 22
8	Maharashtra	1, 9, 17, 25, 33	4, 21
9	Mysore	1, 8, 15, 24, 29, 36	4, 21
10	Orissa	4, 8, 14, 19, 25, 33, 38	1, 6, 11, 16, 21, 27, 30, 36
11	Punjab	1, 7, 10, 13, 16, 24, 28, 33, 37	4, 20
12	Rajasthan	1, 7, 15, 22, 29, 36	4, 10, 18, 26, 34
13	Uttar Pradesh	1, 7, 11, 16, 22, 26, 31, 36	4, 19
14	West Bengal	1, 7, 11, 19, 25, 31, 37	4, 15,28
15	Jammu & Kashmir	1, 16	4, 31
16	Andaman & Nicobar Islands		1, 3, 6, 8, 10, 12, 14, 16, 18, 21, 23 26, 28, 31, 35, 36, 38,
17	Himachal Pradesh	1, 7, 10, 14, 18, 24, 27, 31,36	4,21
18	Laccadive Minicoy & Amindivi Islands		1, 3, 5, 7, 9, 11, 13 15, 17, 19, 21, 24, 26, 28, 30, 32, 35, 37, 39.
19	Manipur	21	1, 4, 8, 11, 15, 18, 24, 26, 28, 31, 34, 37.
20	Tripura	4, 13, 28	1, 6, 8, 11, 15, 18, 22, 25, 31, 33, 36, 38.
21	Delhi	Same as for recruitment on all India basis.	

NOTE.— If there are only two vacancies to be filled in any recruitment year, not more than one may be treated as reserved and if there be only one vacancy it should be treated as unreserved. If, on this account, as reserved point is treated as unreserved the reservation may be carried forward to the subsequent two recruitment years.

APPENDIX V

(*vide* para 2.33 of the Report)

No. 15|1|65-Ests (C)

Government of India

Ministry of Home Affairs

New Delhi-1, the 20th July, 1965

29th Asadha, 1887.

OFFICE MEMORANDUM

SUBJECT:—Reservation for Scheduled Castes and Scheduled Tribes in services—Interviews for selection.

In this Ministry's O.M. No. 16|3|63-SCT (I), dated 1st October, 1963 views of the Ministries etc. were invited in regard to recommendation No. 205 in the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1961-62, relating to abolition of the practice of holding oral interviews, at least for junior posts. The Commissioner for Scheduled Castes and Scheduled Tribes suggested in recommendation No. 213 in his Report for 1962-63 that a fair trial should be given to his suggestion in the previous Reports, to abolish the system of oral interviews at least for junior posts. These recommendations of the Commissioner have been carefully considered by this Ministry in the light of the views expressed by the Ministries etc. in this regard. The position is that where recruitment of the proper type of personnel requires an assessment of personality, mental alertness & such qualities which can only be judged by personal interviews, such interviews cannot be dispensed with in the case of any category of persons, including those belonging to the Scheduled Castes|Scheduled Tribes. It is, thus essential to retain for Scheduled Castes and Scheduled Tribes as well as for others, the oral interviews, wherever prescribed as a part of selection. It has, therefore, not been possible to accept the recommendation referred to above. However, it has been decided that where interviews are prescribed as a part of selection, Scheduled Caste and Scheduled Tribe candidates should, wherever feasible, be taken for interview in a separate bloc and preferably

on a separate day so that they are not judged in comparison with general candidates and the orders regarding relaxation of standards in favour of Scheduled Castes and Scheduled Tribes as in para 19 (a) and (b) of the Brochure issued with this Ministry's O.M. No. 1|2|61-SCT (I), dated 27th April, 1962 could be prominently in view before the interview Boards.

2. Ministries etc. may kindly bring the above decisions to the notice of all appointing authorities under them.

Sd|- HARISH CHANDRA,
Under Secretary to the Govt. of India

To

All Ministries of the Govt. of India etc. etc.

All Union Territories, Zonal Councils.

All Attached and Subordinate Offices of the Ministry of Home Affairs.

Extract of para 19 of the Brochure issued with Ministry of Home Affairs O.M. No. 1|2|61-SCT (I), dated the 27th April, 1962.

19. *STANDARDS OF SUITABILITY*:

(a) *Direct recruitment by examination*:

If according to their normal positions in the competition or selection, candidates belonging to Scheduled Castes and Scheduled Tribes obtain less vacancies than the number reserved for them, candidates of such castes or tribes who have secured lower positions but who have qualified at such examination may be selected by the appointing authority to make up the deficiency.

(b) *Direct recruitment otherwise than by Examination*:

The appointing authority may select candidates from the Scheduled Castes and Scheduled Tribes of a lower standard than that of other provided they possess the prescribed minimum educational and technical qualifications.

APPENDIX VI

(*Vide* Footnote to para 2.39 of the Report)

Recommendations of the Seminar on Employment of the Scheduled Castes and Scheduled Tribes together with comments of the Commissioner for Scheduled Castes and Scheduled Tribes, as stated in his Thirteenth Report (1963-64) *and Fourteenth Report* (1964-65).

THIRTEENTH REPORT (1963-64)

Seminar on Employment of the Scheduled Castes and Scheduled Tribes

20.31. It is a matter of satisfaction to note that, for the first time, the Planning Commission organised a seminar on employment of the Scheduled Castes and the Scheduled Tribes under the Chairmanship of Dr. V. K. R. V. Rao, Member of that Commission. This seminar was held from the 30th January to the 1st February, 1964 and was attended by the Union Home Minister, the State Ministers of Social and Tribal Welfare eminent non-officials, leaders of the Scheduled Castes and the Scheduled Tribes and representatives of Public undertakings and all India voluntary organisations serving these communities. The employment position of the Scheduled Castes and the Scheduled Tribes in Government services was one of the subjects discussed at this seminar and the recommendations made in regard to employment under Government are reproduced below:

(1) While the huge shortfall in Class I and Class II could be explained by reference to the absence of a vast educational programme in the earlier years, there was no reason why Class III and Class IV vacancies should not be filled up by candidates belonging to these classes.

(2) Unless a categorical line was taken by the Government, progress would always by halting. Thus, it would be useful to have a rule that the quota of Scheduled Castes and Scheduled Tribes in vacancies arising every year should be filled in the same year, subject to the minimum prescribed qualifications. This should be supplemented by a scheme of special coaching to the Scheduled Castes|Tribes entrants to ensure that they come up to the level of general employees as early as possible.

(3) There was a shortfall in Class IV in relation to Scheduled Tribes. The excuse of lack of minimum qualifications sounded unconvincing in relation to recruitment to Class IV. Any persons from these classes with a little of general education should be acceptable for appointment to Class IV.

(4) About Class III, the difficulty seemed to be that appointing authorities were insisting on some qualifications in addition to the minimum educational qualifications. While these extra qualifications were, to some extent, relatable to the type of work which an employee in Class III would be called upon to perform, there was no reason to suppose that any persons with the requisite educational qualifications could not by a special effort make up for deficiency and give satisfactory service. Therefore, even in relation to Class III, it should be the rule that a person with the minimum educational qualifications be recruited.

(5) In relation to Class I and Class II, though the number of posts involved in small, it has been difficult to find candidates who would be acceptable for the reserved vacancies. Significant results would come about if Government were to take a step for special coaching facilities as recommended earlier. Under the existing rules reserved vacancies lapsed if they were not filled within the recruitment years. The provision for lapse should be withdrawn. This would put a pressure on appointing authorities to promptly fill the reservation quotas.

(6) Due to ambiguity regarding the class of services into which certain categories of posts fall—(teachers were mentioned as an example)—the policy of reservation was not being fully implemented. It was stressed that unless a post under government was specifically exempted from the purview of the reservation orders, there was no question of having no reservation. Reservation being the rule, the State Government and the Central Government should see whether there are such cases and issue suitable clarifications.

(7) A Central Executive authority fully qualified with power to nominate candidates against reserved vacancies should be established; in addition to services this authority should be in general charge of proper implementation of the entire programme.

(8) Candidates should be given financial assistance to defray the cost of registration with Employment Exchanges and on journeys for interviews with employers.

(9) More Employment Exchanges and Employment Information Bureau should be opened in interior areas so as to make employment service easily accessible to the Scheduled Tribes. Wherever possible, even Mobile Employment Exchanges should be provided to register candidates from these communities for employment in new projects.

(10) There should be a Committee at the State level for a constant review of the performance of each department in the matter of public undertakings in fulfilling reserved quotas. At the State level this Committee may have the Minister-in-charge of Welfare as its Chairman, few members of Legislatures belonging to Scheduled Castes and Scheduled Tribes as members and Secretary, Social Welfare, as Secretary. The Committee should be given adequate powers to make it effective. The report of this Committee may be placed before the State Legislature for discussion every year.

(11) There should be a similar committee at the district level consisting of the District Magistrate, the Chairman, Zilla Parishad, the Employment Officer and the Tribal Welfare Officer. One of them may function as a departmental expert of Selection Board.

(12) Closer liaison should be established between Directorate of Public Relations and Employment Exchanges for giving wider publicity to employment opportunities.

(13) It is extremely important that requirements of physical standards, specially, height and weight should be suitably relaxed in favour of such candidates. Many promising young men from these classes were being drawn away from good careers under Government particularly the Defence forces and Police for no other reasons except that they fall somewhat short of the physical standards which were rigidly enforced.

(14) More I.T.Is should be started in tribal areas and scholarship given to all the Scheduled Castes and Scheduled Tribes trainees.

(15) There should be regular follow-up programme for these trainees from these instructions in order to avoid wastage.

(16) The State Governments should take a strict view of any slackness on the part of appointing authorities in furnishing the prescribed returns and|or of failure to fill the reserved quotas in services.

(17) The Central Government should obtain annual returns from the State Governments indicating the progress of employment of candidates of these communities in the services of the State Governments and make available their comments to the State Governments.

(18) Public undertakings should make a reservation in their services on the lines adopted by the State Governments for their services. The contractors connected with the undertakings should also fall in line and adopt such principles of reservation. It would be highly desirable that such an arrangement is formalised as a condition of the agreement entered into by the undertaking with the contractor.

(19) Government should insist that every institution, receiving financial assistance from it, should observe the principle of reservation in employment under it.

(20) Normal administrative inspections should also give specific attention to the performance on the part of the office in filling up the reserved quotas and the inspection report should make specific mention of the position in this regard.

(21) It would be extremely desirable to have on each Union| State Public Service Commission, Railway Service Commission and similar other bodies set up for recruitment for Public Service, a person belonging to Scheduled Castes or Scheduled Tribes.

(22) With a view to removing the shortfalls in representation to these communities even in the relatively lower ranks of Government services, a determined effort is necessary to recruit primary school teachers, police constables, Gram Sevaks etc., from these communities. The proportion of reservation should have a direct relation to the proportion which the Scheduled Castes|Tribes form to the total population in the area.

(23) In the case where local Employment Exchanges are not able to provide suitable candidates, more intensive efforts should be made to provide the required candidates from

either the neighbouring areas or from outside expeditiously to fill the reserved vacancies in the area. Employment Exchange should exercise sufficient scrutiny and caution in the matter of issuing non-availability certificates to the appointing authorities.

(24) Case where employees reject a large number of candidates under the plea of their unsuitability, should be carefully examined by Employment Officer personally and efforts should be made to provide the type of candidates required by the appointing authorities.

(25) A small brochure containing information in respect of posts under the Central Government, Semi-Government and Corporate Bodies as also State Governments with regard to classification and training experience and other conditions required should be published by Government of India and copies supplied to all educational institutions, Backward Classes' Hostels, Block Development Officers, voluntary organisations and vocational guidance officers. The Central Government should be willing to bear the expenditure which the State Government might incur in this.

(26) There were instances where social prejudices prevented Scheduled Castes getting accommodation even after they had secured appointments. It was, therefore, necessary that wherever public housing was available arrangements should be made with a view to removing this diability.

(27) Special grants should be sanctioned to voluntary agencies for engaging part-time teachers to teach students in hostels of Scheduled Castes and Scheduled Tribes to improve their standard of education. In large cities voluntary agencies should be encouraged to run special evening classes for coaching.

(28) There should be suitable reservations for the employees in the matter of departmental promotions and these should extend to promotion to posts in Class I and Class II also. There is relaxation of age for initial recruitment it is necessary that such relaxation be given at successive stages of service also. This must be accompanied by suitable training programmes, so that those promoted under the reserved quota would be fully qualified to hold their new jobs.

(29) Since the implementation of these recommendations would require a large variety of trained personnel, the concerned departments|organisations both at the Centre and in the State should take early steps for the assessment of manpower requirements and their advance training.

(30) Co-operation of the universities and appropriate research organisations should be sought in order to carry out the special studies which have been indicated in the foregoing recommendations. Wherever necessary, adequate financial assistance should be given to research agencies for the purpose.

(31) In the training programmes of I.A.S. and other cadres of personnel in the Central and State Governments, courses should be introduced to impart information on the existing living and working conditions of Scheduled Castes and Scheduled Tribes. The Constitutional guarantees and safeguards given to these communities should be specially emphasised.

20.32. It is apparent that the adoption of these constructive suggestions would go a long way to the solution of the problems of employment of the Scheduled Castes and the Scheduled Tribes. At the close of the session of the seminar, a number of participants expressed the fear that the report of the seminar may go the way the reports of other seminar and conferences do and remain on the shelf. The Chairman of the seminar, however, gave the assurance that everything possible would be done to follow up the recommendations with the various implementing authorities. In fact, later on, he approached the Prime Minister to write to the Chief Ministers commending the report to their attention. The Prime Minister was pleased to accept the suggestion and urged upon the Chief Ministers "to take personal interest in seeing that complete action follows on these recommendations." It is, however, regrettable to note that no action has so far been taken by the implementing authorities, including the Ministry of Home Affairs, on these useful recommendations.

FOURTEENTH REPORT (1964-65)

20.33. .... attention is also invited to the recommendations made in the Report of the Seminar on Employment of the Scheduled Castes and the Scheduled Tribes to which a reference had been made in the previous Report. In his inaugural Address to the Seminar,

the Union Home Minister had expressed in hope that "this Seminar does not turn out to be just another Seminar where discussion takes place and afterwards nothing very much is done by way of follow-up". The late Prime Minister, Shri Jawahar Lal Nehru, had expressed the opinion "that the recommendations contained in the Report are concrete and practical and deserve support." Unfortunately, no steps have been taken so far to implement even these concrete and practical recommendations made at the Seminar which was held in January, 1964.

APPENDIX VII

(*Vide* para 2.102 of the Report)

Statement showing the number of reserved posts in which dereservation was sought during 1968 *and number of reserved posts agreed/not agreed to be dereserved*

Sl. No.	Category of Post	Scheduled Castes			Scheduled Tribes		
		Total No. of vacancies referred to for dereservation.	No. of vacancies in which dereservation was		Total No. of vacancies referred to for dereservation.	No. of Posts for which dereservation was	
			Agreed	to Not agreed to		Agreed to	Not agreed to
1	Class-I .	63	56	7	35	35	..
2	Class-II .	45	32	14	21	19	2
3	Class-III	200	131	89	202	173	29
4	Class-IV .	58	57	1	97	50	47

NOTE.— The figuras above are based on the reference made by various Ministries/ Departments and the decision taken by the Ministry of Home Affairs thereon. The vacancies for which dereservation was agreed to had to be carried forward to the next recruitment period.

APPENDIX VIII

(*Vide* para 2·102 of the Report)

Statement showing the number of reserved posts in which dereservation was sought during the year 1969 upto 14th August and the number of reserved posts agreed/not agreed to be dereserved.

Sl. No.	Category of Posts	Scheduled Castes			Scheduled Tribes		
		Total No. of vacancies referred to for dereservation.	No. of vacancies in which dereservation was Agreed to	Not Agreed to	Total No. of vacacnies referred to for dereservation.	No. of Posts for which dereservation was Agreed to	Not Agreed to
1	Class-I	11	11		10	10	
2	Class-II	56	56	..	36	36	..
3	Class-III	119	75	44	153	108	45
4	Class-IV	2	2		76	86	..

NOTE.— The figures are based on the references made by various Minstries/Departments and the decision taken by the Ministry of Home Affairs thereon. The vacancies for which dereservation was agreed to had to be carried forward to the next recruitment period.

APPENDIX IX

(*Vide* para 3.5 of the Report)

No. 1|12|67-Ests. (C)

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi—1, the 11th July, 1968.

OFFICE MEMORANDUM

SUBJECT: Reservations for Scheduled Castes and Scheduled Tribes in posts filled by promotion.

In this Ministry's Office Memorandum No. 1|10|61-Ests (D), dated 8th November 1963, reservations at 12½ per cent and 5 per cent of the vacancies were provided for Scheduled Castes and Scheduled Tribes in Class III and IV posts filled by promotion based on (i) selection or (ii) the results of competitive examinations limited to departmental candidates, in grades or services to which there was no direct recruitment whatsoever. The aforesaid Office Memorandum of 8th November, 1963 also provided that there would be no reservations for Scheduled Castes and Scheduled Tribes in appointments made by promotion to a Class II or a higher service or post, whether on the basis of seniority-*cum*-fitness, selection or competitive examinations limited to departmental candidates.

2. The Government of India have reviewed their policy in regard to reservations and other concessions to Scheduled Castes and Scheduled Tribes in posts filled by promotion and have, in supersession of the orders in the aforesaid Office Memorandum dated 8th November 1963, decided as follows:—

A. *Promotions through limited departmental competitive examinations*:—

There will be reservations at 12½ per cent and 5 per cent of vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made on the basis of competitive examination limited to departmental candidates, within or to Class II, III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

B. ***Promotions by selection methods:***

(a) ***Class I and II appointments***

In promotions by selection from Class III to Class II and within Class II and from Class II to the lowest rung or category in Class I, the following procedure will be adopted:—

In promotions made by selection, employees in the field of eligibility numbering 5 or 6 times the estimated number of vacancies are normally considered for inclusion in the select list, *vide* Ministry of Home Affairs' Office Memorandum No. F. 1|4|55-RPS, dated 16th May, 1957. After rejecting those who are unfit for promotion, the Departmental Promotion Committee proceeds to categorise the remaining eligible Employees into three categories, namely, 'Outstanding', 'Very Good' and 'Good'. Thereafter, the Committee draws up a select list placing all employees in the 'Outstanding' category at the top, followed by those categorised as "Very Good' and then by those categorised as 'Good', the *inter se* seniority within each category being maintained. As a measure of improving representation of Scheduled Castes| Scheduled Tribes in services it has now been further decided that:—

(i) If within the zone of eligibility, there are any Scheduled Castes and Scheduled Tribes employees, those amongst them who are considered unfit for promotion by the Departmental Promotion Committee will be excluded from consideration. Thereafter, the remaining Scheduled Castes and Scheduled Tribes employees will be given by the Departmental Promotion Committee one grading higher than the grading otherwise assignable to them on the basis of their record of service *i.e.*, if any Scheduled Caste or Scheduled Tribe employee has been categorised by the Committee on the basis of his record of service as 'Good', he should be recategorised by the Committee as 'Very Good'. Likewise, if any Scheduled Caste or Scheduled Tribe employee is graded as 'Very Good' on the basis of his record of service, he will be recategorised by the Committee as 'Outstanding'. Of course, if any Scheduled Caste or Scheduled Tribe employee has already been categorised by the Committee on the basis of his record of service as 'Outstanding', no recategorisation will be needed in his case.

The above concession would be confined to only 25 per cent of the total vacancies in a particular grade or post filled in a year from the Select List. While making promotions from the Select List the appointing authority should, therefore, check up that the Scheduled Caste|Scheduled Tribe employees promoted in a year on the basis of this concession are limited to 25 per cent of the posts filled in a year from the Select List prepared according to the procedure outlined above; and

(ii) Those Scheduled Castes|Scheduled Tribes employees who are senior enough in the seniority list so as to be within the number of vacancies for which the Select List has to be drawn, should be included in the Select List, if they are not considered unfit for promotion and should also be given one grading higher than the grading otherwise assignable to them on the basis of their record of service and their place in the Select List determined on the basis of this higher categorisation. This would imply that even where, in some case, the Select List were to consist of, say, only 'Outstanding' non-Scheduled Caste|non-Scheduled Tribe candidates, adequate number of them being available from the field of eligibility or zone of consideration, those Scheduled Caste|Scheduled Tribe candidates who are high up in the eligibility list and are within the number of estimated vacancies for which the Select List is being prepared will, even if they are only 'Good' and after higher categorisation by one degree are categorised as 'Very Good', have to be included in the Select List, but they will be placed below the 'Outstanding' candidates in the Select List.

(b) *Class III and IV appointments*:

There will be reservation at 12½ per cent and 5 per cent of the vacancies for Scheduled Castes and Scheduled Tribes respectively in promotions made by selection in or to Class III and IV posts, in grades or services in which the element of direct recruitment, if any, does not exceed 50 per cent.

Select Lists of Scheduled Caste|Scheduled Tribe officers should be drawn up separately to fill the reserved vacancies as at present; officers belonging to these classes will be adjudged separately and not along with other officers; and if they are fit for promotion, they should be included in the list irrespective of their merit as compared

to other officers. Promotions against reserved vacancies will continue to be subject to the candidates satisfying the prescribed minimum standards.*

C. *Promotions on the basis of Seniority Subject to fitness*:

There will be no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, but cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and II appointments will, as at present, be submitted for prior approval to the Minister or Deputy Minister concerned. Cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class III and IV appointments will, as at present be reported within a month to the Minister or Deputy Minister concerned for information.

3. The following instructions will apply to the filling of vacancies *reserved* for Scheduled Castes and Scheduled Tribes under the orders contained in this office Memorandum:—

(1) (a) Scheduled Caste and Scheduled Tribe Officers who are within the normal zone of consideration should be considered for promotion alongwith others and adjudge on the same basis as others and those Scheduled Castes and Scheduled Tribes amongst them who are selected on that basis may be included in the general select list in addition to their being considered for separate select lists for Scheduled Castes and Scheduled Tribes respectively.

(b) If candidates from Scheduled Castes and Scheduled Tribes obtain on the basis of their position in the aforesaid general select list, less vacancies than are reserved for them, the difference should be made up by selected candidates of those communities who are in the separate select lists for Scheduled Castes and Scheduled Tribes respectively.

(2) In the separate select lists drawn up for (i) Scheduled Castes and (ii) Scheduled Tribes, Officers belonging to Scheduled Castes, or Scheduled Tribes, as the case may be, will be adjudged separately amongst themselves and not along with other officers, and, if selected, they should be included in the concerned separate select list, irrespective of their merit as compared to other Officers. It is needless to mention that officers not belonging to

Scheduled Castes and Scheduled Tribes will not be considered whilst drawing up separate select lists for Scheduled Castes and Scheduled Tribes. For being considered for inclusion in the aforesaid separate select lists, the zone of consideration for Scheduled Castes and Scheduled Tribes, as the case may be, would be of the same size as that for the general select list, that is, if for the general select list, the zone of consideration is 5 times the number of vacancies likely to be filled, the zone for consideration for the separate list for Scheduled Castes will also be 5 times the number of reserved vacancies for them, and likewise for Scheduled Tribes, subject of course to the condition that Officers coming within such zone are eligible, by length of service etc. as prescribed, for being considered for promotion.

(3) For giving effect to the reservations in promotions prescribed in this Office Memorandum it has been decided that a separate roster on the lines of the roster, prescribed in Annexure I to Office Memorandum No. 1|13|63-SCT (I), dated the 21st December, 1963, (in which points 1, 9, 17, 25 and 33 are reserved for Scheduled Castes and points 4 and 21 for Scheduled Tribes) should be followed. If, owing to non-availability of suitable candidates belonging to Scheduled Castes or Scheduled Tribes, as the case may be, it becomes necessary to dereserve a reserved vacancy, a reference for dereservation should be made to this Ministry|indicating whether claims of Scheduled Castes|Scheduled Tribes candidates eligible for promotion in reserved vacancies have been considered in the manner indicated in (1) and (2) above. When dereservations are agreed to by this Ministry, the reserved vacancies can be filled by other candidates, subject to the reservations being carried forward to two recruitment years in accordance with this Ministry's Office Memorandum No. 1|4|64-SCT(I), dated the 2nd September, 1964.

(4) Where promotions in the above manner are first made on a long term officiating basis confirmations should be made according to the general rule *viz.*, that an officer who has secured earlier officiating promotion on the basis of his place in the select list(s) should also be confirmed earlier and thus enabled to retain the advantage gained by him, provided that he maintains an

appropriate standard *vide* para 1(iii) of this Ministry's Office Memorandum No. F. 1|1|55-RPS, dated the 17th February, 1955. But the principle of reservations would not apply again at the time of confirmation of promotees.

4. The above instructions take effect from the date of issue of these orders except where selections by the Departmental Promotion Committee under the old orders have already been made, or rules for a competitive examination have already been published.

5. Ministry of Finance etc. are requested to bring the above decisions to the notice of all concerned.

6. In so far as officers working in offices under the Cr. and A. G. are concerned separate orders will issue in due course.

Sd|- SHANKAR KAPOOR,
Under Secretary to the Government of India.

To

All Ministries|Departments of the Government of India, etc. etc.

All Union Territories;

Zonal Councils; and

Attached and Subordinate Offices of the Ministry of Home Affairs.

APPENDIX X

(*Vide* footnote to para 3.14 of the Report)

No. 16|8|69-Est (SCT)

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi-1, dated the 31 *October,* 1969.
9 *Kartika,* 1891.

OFFICE MEMORANDUM

SUBJECT: *Representation of Scheduled Castes and Scheduled Tribes— safeguards in the matter of promotion.*

According to para 2.c. of this Ministry's Office Memorandum No. 1|12|67-Est(C) dated the 11th July, 1968, while there is no reservation for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of seniority subject to fitness, cases involving supersession of Scheduled Castes and Scheduled Tribes Officers in Class I and II appointments are required to be submitted for prior approval to the Minister or Deputy Minister concerned and cases involving supersession of officers belonging to these categories in Class III and IV appointments are required to be reported within a month to the Minister or Deputy Minister concerned for information. It has been brought to the notice of this Ministry that some cases of supersession of Scheduled Caste|Tribe officers were not submitted or reported to the Minister as required under the instructions referred to above. The Departments may enjoin the authorities under their control to ensure that the prescribed procedure in this regard is strictly observed. The Liaison Officers who have been nominated in the Ministries|Departments and in the Offices under the Heads of Departments for the purpose of ensuring proper compliance of the orders relating to

reservation for Scheduled Castes and Scheduled Tribes may specially watch proper implementation of the aforesaid orders in the offices under their charge.

Sd|- T. R. PRASAD
Under Secy. to the Govt. of India.

To

All Ministries|Departments of the Government of India etc.;
All Union Territories;
Zonal Councils;
Attached and Subordinate offices of the Ministry of Home Affairs;
Comptroller and Auditor General of India;
Union Public Service Commission.

No. 16|8|69-EST(SCTC) New Delhi-1 the 31st October, 1969.
9 Kartika, 1891

Copy (1) the Department of Social Welfare New Delhi and (2) the Commissioner, for Scheduled Castes and Scheduled Tribes, Ramakrishnapuram, New Delhi with reference to recommendation in para 2.26 of the report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1967-68.

Sd|- T. R. PRASAD,
Under Secy. to the Govt. of India.

APPENDIX XI

(*vide* para 3·16 of the Report)

Statement showing the total number of Government servants and the number of Scheduled Castes and Scheduled Tribes amongst them under the Union Territories Governments/ Administrations

Class of Post	Total	Scheduled Castes		Scheduled Tribes	
		Number	Percentage	Number	Percentage
Delhi (*As on* 1-1-1967)					
I	556	11	1·98	..	..
II	1,516	44	2·90	2	0·13
III	27,383	1,893	6·91	13	0·04
IV	5,321	815	5·3	24	0·45
Himachal Pradesh (*As on* 1-1-1966)					
I	221	2	0·91	1	0·45
II	866	11	1·27	6	0·69
III	25,430	1,741	6·85	531	2·09
IV	7,767	1,157	14·90	380	4·89
Manipur (*As on* 1-1-1967)					
I	71		..	1	1·40
II	439	4	0·92	35	7·97
III	11,080	221	1·99	1,974	17·82
IV	7,050	76	1·08	1,434	20·34
Tripura (*As on* 1-1-1967)					
I	66	1	1·51	9	13·64
II	702	5	0·71	26	3·71
III	14,895	858	5·76	1,061	7·12
IV	6,836	887	12·98	1,043	15·26
Laccadive Minicoy & Amndivi Islands (*As on* 1-1-1969)					
I	4			1	25·00
II	22	..	..	1	4·5
III	728	4	0·5	177	24·3
IV	293	6	2·0	235	80·2

Class of Post	Total	Scheduled Castes		Scheduled Tribes	
		Number	Percentage	Number	Percentage
Andaman & Nicobar Islands (As on 1-1-1967)					
I	40	1	2·50	..	..
II	107	1	0·93	..	..
III	3,432	70	2·04	54	1·37
IV	1,581	5	0·32	49	3·10
Pondicherry (As on 1-1-1967)					
I	18	..	..	..	
II	220	3	1·36	..	..
III	4,335	65	1·50	2	0·05
IV	2,601	269	10·34	..	..
Dadra & Nagar Haveli (As on 1-1-1967)					
I	6	..	..	..	..
II	16	..	..	..	..
III	637	16	2·51	85	13·34
IV	186	20	10·75	127	68· 3

Information in respect of Goa and Chandigarh is not available.

APPENDIX XII

(*Vide* para of Introduction)

Summary of Conclusions|Recommendations contained in the Report

Sl. No.	Reference to Para number in the Report	Summary of Conclusions|Recommendations
1	2	3
1.	1.11.	The Committee welcome the constitution of the Committee under the Chairmanship of the Minister of Home Affairs to review the performance in the matter of recruitment of Scheduled Castes and Scheduled Tribes in the Services under the Government of India, Union Territories and Public Undertakings. The Committee hope that the committee would at regular intervals, submit its reports on its findings, suggest ways and means to remedy the situation and ensure the speedy implementation of its recommendations.
2.	1.12.	The Committee also desire that the recommendations made by that Committee together with action taken thereon by Government should be laid on the Table of Lok Sabha and Rajya Sabha.
3.	1.21	The Committee note that in consonance with the instructions issued by the Ministry of Home Affairs all the Ministries|Departments have since appointed Liaison officers to ensure due compliance by the appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them. The Committee observe that there has been insignificant improvement

1	2	3
		in regard to the employment of Scheduled Castes and Scheduled Tribes in Class I and Class II services during the period 1964-66 and there is still, according to the Ministry's own admission, a backlog to carry. So far as Class III posts are concerned, the position is still worse in spite of the fact that there is no dearth of suitable candidates. The Committee would like to stress that it should be the responsibility of the appointing authorities|Liaison Officers to see that the instructions issued by the Ministry of Home Affairs in the matter of reservation of posts are scrupulously observed. In case any instance of non-observance of the orders comes to the notice of the Ministry of Home Affairs, the appointing authorities|Liaison Officers concerned should be held personally responsible for the lapse.
4.	1.30.	The Committee note that a Cell has been set up in the Ministry of Home Affairs to collect statistical information regarding representation of Scheduled Castes and Scheduled Tribes in Public Services as well as to look into their complaints or grievances of general nature. The Committee also note that instructions have been issued to other Ministries| Departments to set up similar Cells under them. They would like the Ministry of Home Affairs to ensure that Cells are set up in each Ministry|Department immediately. In this connection they are unhappy to learn that no such Cell has so far been established even in the Department of Social Welfare which is the principal Department concerned with the Welfare of Scheduled Castes and Scheduled Tribes.
5.	1.31.	The Committee also suggest that the Ministry of Home Affairs should lay down the charter of duties of such Cells so that they could function on proper any systematic lines from the very beginning. A note about the activities of the Cell should be included in the Annual Reports of the concerned Ministries|Departments.

1	2	3
6.	1.39.	The Committee regret to observe that it has taken more than seven yeare to arrive at a decision whether the Commissioner for Scheduled Castes and Scheduled Tribes could call for the records from the Ministries|Departments to investigate the complaints of the Scheduled Caste and Scheduled Tribe employees about the proper implementation of the various orders issued by Government regarding representation of Scheduled Castes and Scheduled Tribes in Public Services. They also regret that the Department of Social Welfare has paid no attention towards this important issue even though the Commissioner for Scheduled Castes and Scheduled Tribes has issued several reminders to them in the matter. The Committee suggest that Government should issue a directive to the various Ministries|Departments that they should invariably make available to the Commissioner for Scheduled Castes and Scheduled Tribes the necessary records for investigation of the complaints of the Scheduled Caste and Scheduled Tribe employees about the non-implementation of the orders of the Government of India.
7.	2.5	The Committee note that the reservations for Scheduled Castes and Scheduled Tribes in Public services, as mentioned in para 2.1. of the Report were prescribed in 1950 pending the determination of the figures of population at the Census of 1951. That Census showed the population of Scheduled Castes and Scheduled Tribes as 15.32 percent and 6.23 percent respectively of the total population. The Committee feel that Government should have reviewed the figures of reservations in 1951, as contemplated. They are unhappy to note that Government did not review these figures even after 1961 Census. The Committee need hardly stress that population should be considered as the main criterion

1	2	3
		for fixing the percentage of reservations in public services. They are in full agreement with the suggestion of the Commissioner for Scheduled Castes and Scheduled Tribes made in his Seventeenth Report (1967-68) that the Scheduled Castes and Scheduled Tribes should be given representation in public services according, at least, to their present percentage in total population of India.
8.	2.15.	The Committee are unhappy to note from the statement given above that at the time of the initial constitution of the Indian Forest Service, only 9 Scheduled Caste and 8 Scheduled Tribe Officers could be selected out of 22 Scheduled Caste and 21 Scheduled Tribe Officers considered for the purpose, the percentage to the total number of Officers appointed being only 1.3 for Scheduled Castes and 1.1 for Scheduled Tribes. They are also unhappy that no reservations for Scheduled Castes and Scheduled Tribes are provided in the initial constitution of the Indian Medical and Health Service which was constituted in February, 1969. The Committee do not expect any appreciable increase in the number of Scheduled Castes and Scheduled Tribes in Public Services unless the orders regarding representation of Scheduled Castes and Scheduled Tribes are made applicable to the Services as a whole (i.e. in posts) and not merely to the vacancies, as and when they occur.
9.	2.16.	The Committee are in agreement with the views of the Elayaperumal Committee that the existing rules, particularly of the newly constituted Services, should be so amended as to provide for adequate reservation for the Scheduled Castes and Scheduled Tribes at the initial stage of recruitment. The Committee suggest that Government should urgently review the present

1	2	3
		policy in regard to making reservations for Scheduled Castes and Scheduled Tribes at the time of initial constitution of an All-India Service.
10.	2.24.	The Committee have taken note of the various orders issued by the Ministry of Home Affairs regarding the maintenance of rosters for giving effect to reservations provided for Scheduled Castes and Scheduled Tribes in Public Services. The Committee have received complaints that rosters are not being maintained properly. They suggest that the Ministry of Home Affairs should evolve a procedure for the periodical inspection of the rosters. Defects, if any, noticed in the maintenance of the rosters should be brought to the notice of the concerned Ministries/Departments, for rectification and implementation of the relevant orders.
11.	2.36.	The Committee have noted the orders issued by the Ministry of Home Affairs regarding standards of 'suitability' which are to be observed by the appointing authorities in the case of recruitment of Scheduled Castes and Scheduled Tribes. They are, however, unhappy to be told that the term 'suitability' is more or less of a subjective character and that it is difficult to ascertain the reason on account of which a particular candidate is considered unsuitable either by Union Public Service Commission or by any other recruiting authority. The Committee would like to impress upon the Ministry of Home Affairs the desirability of devising adequate checks to ensure the rigid application of relaxed standards by the appointing authority in the case of Scheduled Castes and Scheduled Tribes. They suggest that the standards, specially regarding *viva voce* fixed for Scheduled Castes and Scheduled Tribes should be further relaxed, if they cannot be abolished altogether.

1	2	3
12.	2.37.	The Committee also suggest that the feasibility of appointing Scheduled Castes and Scheduled Tribes. possessing minimum qualifications, to some categories of posts, without any written or *viva voce* test, may be considered.
13.	2.38.	The Committee also feel that in order to give impetus and encouragement to the Scheduled Castes and Scheduled Tribes, such of them, who, of their own, come on the merit list in a competitive examination, should be taken against the general seats and not against the reserved quota of vacancies. The Committee suggest that the Union Public Service Commission|State Public Service Commissions should give this matter urgent consideration.
14.	2.43.	The Committee welcome the appointment of two persons belonging to Scheduled Caste and Scheduled Tribe communities as members of the Union Public Service Commission. They would like the Ministry of Home Affairs to impress upon those States, who have not so far appointed any Scheduled Caste|Tribe person as a member of the State Public Service Commission, to do the needful urgently. The Ministry of Railways should also be advised to ensure that all the Railway Service Commissions include Scheduled Caste|Tribe members. Similarly, all Selection Boards or Recruitment Authorities should include among them at least one Scheduled Castes|Tribe member.
15.	2.48.	In view of the poor intake of Scheduled Castes and Scheduled Tribes in the Central Secretariat Stenographers' Service, as is evident from the state given at para 2.46 of the Report, the Committee would like the Ministry of Home Affairs to reconsider whether the rules for the recruitment of Stenographers, so far as they are applicable to Scheduled Castes and Scheduled Tribes, could be further relaxed.

1	2	3
16.	2.49.	The Committee suggest that the Ministry of Home Affairs may take appropriate steps to ensure that the quota reserved for Scheduled Castes and Scheduled Tribes for Stenographers' posts in the Ministry of External Affairs (including Indian Missions abroad) is not allowed to remain unfilled.
17.	2.50.	The Committee further suggest that the Ministry of Home Affairs may hold an examination exclusively for Scheduled Castes and Scheduled Tribes for recruitment as Stenographers so that the intake of Scheduled Castes and Scheduled Tribes in Central Secretariat Stenographers' Service can be augmented.
18.	2.51.	The Committee welcome the proposal of the Department of Social Welfare to open a pre-examination training centre at Delhi to provide coaching facilities to Scheduled Caste and Scheduled Tribe candidates for Subordinate Service examinations. They hope that there would be an appreciable increase in the intake of Scheduled Caste and Scheduled Tribe candidates as a result of the coaching facilities.
19.	2.54.	The Committee feel that the intention and the spirit behind the recommendation of the Scheduled Areas and Scheduled Tribes Commission (1960-62) have not been correctly appreciated by the Government. When the said Commission recommended that a post reserved for Scheduled Tribe should not be given to a Scheduled Caste, its intention was that efforts should be made to find a suitable Scheduled Tribe candidate to fill that post and not that the post itself should be dereserved and filled by a non-Scheduled Caste/Tribe candidate. The Committee, therefore, recommend that the orders of the 24th September, 1962 which preclude the appointment of Scheduled Castes in

1	2	3
		the reserved vacancies left unfilled by Scheduled Tribes and *vice versa* should be rescinded forthwith. The recruiting authorities should also make all possible efforts to find Scheduled Caste and Scheduled Tribe candidates for the posts reserved for them.
20.	2.59.	The Committee take note of the views of the Ministry of Home Affairs as also of the Department of Social Welfare that a separate executive authority to nominate Scheduled Caste and Scheduled Tribe candidates against reserved vacancies would not be feasible. They, however, feel that there should be no difficulty in appointing a separate executive authority to nominate Scheduled Caste and Scheduled Tribe candidates in all the posts which are outside the purview of the U.P.S.C. They also suggest that the Department of Social Welfare should conduct periodical surveys so as to see to what extent the nomination of Scheduled Castes and Scheduled Tribes made by the Ministries/Departments of the Government of India against reserved posts were in accordance with the orders of the Ministry of Home Affairs. The Committee have no doubt that the Commissioner for Scheduled Castes and Scheduled Tribes would also include cases of non-implementation of these orders in his reports to the President.
21.	2.64.	The Committee note the orders issued by the Ministry of Home Affairs in September, 1968 relating to the selection of best among the Scheduled Castes and Scheduled Tribes while making recruitment to non-technical and quasi-technical Class III and Class IV posts and giving them in-service training to make them proficient in their work. They have no doubt that these orders will be extended at an early date to the posts filled through the Union Public Service Commission and also to Class II posts as recommended by the Commissioner for Scheduled Castes

1	2	3
		and Scheduled Tribes in his Seventeenth Report.
22.	2.70.	The Committee take note of the scheme formulated by the Department of Social Welfare for building confidence among the Scheduled Castes and Scheduled Tribes so that they can go through the process of interviews, etc. successfully and get appointed to various posts|services under Government. The Committee hope that the scheme, which for the time being is proposed to be taken up on a pilot basis would be gradually extended to other areas, if the results prove to be encouraging.
23.	2.77.	The Committee are glad to note that the Government of India are running two Pre-Examination Training Centres—one at Allahabad and the other at Madras—for imparting coaching to the Scheduled Caste and Scheduled Tribes students who intend to appear at the I.A.S., I.P.S., and other allied Services Examinations held by the Union Public Service Commission. The Committee, however, feel that the results shown by these two Centres, especially the Madras Centre, are not very encouraging. They would like the Department of Social Welfare to review the progress made by each Centre periodically in order to remove the shortcomings. The Committee suggest that Government may open such Centres at other places also so that there is at least one such Training Centre in each State|Union Territory.
24.	2.78.	The Committee would also stress the desirability of opening Pre-Examinations Training Centres in States for imparting training in respect of Subordinate Services Examinations held by the Union and State Public Service Commissions as well as State Civil Service Examinations.

1	2	3
25.	2.84.	The Committee would like the Ministry of Home Affairs|Department of Social Welfare to issue necessary instructions to various Ministries| Departments to stipulate the observance of the principle that all institutions which receive grants-in-aid from the Government should make reservations for Scheduled Castes and Scheduled Tribes in the posts under them.
26.	2.90.	The Committee consider it desirable that a brochure giving comprehensive information about the posts under the Central Government, etc. and training facilities, as suggested by the Seminar an Employment of Scheduled Castes and Scheduled Tribes should be published for the information of Scheduled Castes and Scheduled Tribes. The Department of Social Welfare or Director General, Employment and Training should undertake this work and publish it in English, Hindi and all regional languages.
27.	2.91.	As regards the form of advertisement, the Committee do not agree with the alternative suggested by the representative of the Ministry of Home Affairs during evidence, as reproduced in para 2.85 above. They are of the opinion that the words "If no suitable Scheduled Caste and Scheduled Tribe candidates are available, the reserved posts will be treated as general" should not be included in the advertisements for posts reserved for Scheduled Castes and Scheduled Tribes. If as a result of an advertisement for the posts reserved for Scheduled Castes and Scheduled Tribes, enough Scheduled Caste and Scheduled Tribe candidates are not available, the posts should be advertised again.
28.	2.92.	The Committee further suggest that the specific number of posts reserved for Scheduled Castes and Scheduled Tribes should invariably be mentioned in all advertisements.

1	2	3
29.	2.106.	The Committee are unhappy that the Ministry of Home Affairs did not maintain statistics about the cases of dereservation referred by the various Ministries|Departments to them since the issue of orders dated the 27th March, 1963. From the statement furnished by the Ministry of Home Affairs for the years 1968-69 (upto 14th August) about the details and number of cases referred to them; the statement showing the number of vacancies dereserved by the Ministry of Home Affairs themselves; and the figures furnished by the Department of Social Welfare, it appears that a large number of Stenographers' and L.D.C.s posts are being dereserved year after year. In this connection, the Committee would urge that the Ministry of Home Affairs should give serious consideration to the recommendation made by the Commissioner for Scheduled Castes and Scheduled Tribes in his 17th Report, *vide* para 2.99 of the Report. The Committee also suggest that before the Ministry of Home Affairs agree to the dereservation of a particular post by a Ministry|Department, the matter should again be referred to the Employment Exchanges in order to explore the possibility of getting Scheduled Caste and Scheduled Tribe candidates.
30.	2.109.	The Committee note that the orders of the Ministry of Home Affairs regarding forwarding of applications by Scheduled Castes and Scheduled Tribes provide that "applications for employment elsewhere of temporary or permanent Central Government servants belonging to Scheduled Castes and Scheduled Tribes should be readily forwarded except in very rare cases where there may be compelling grounds of public interest for withholding such applications." The Committee desire that the Ministry of Home Affairs should impress upon the Ministries|Departments of the Government of India

1	2	3
		that applications for employment elsewhere of temporary or permanent Scheduled Castes and Scheduled Tribes should be forwarded as a matter of course. Instances where the applications cannot be forwarded should be referred to the Ministry of Home Affairs.
31.	2.117.	The Committee are distressed to note the poor intake of Scheduled Caste and Scheduled Tribe candidates in Indian Foreign Service, I.A.S., I.P.S., Indian Forest Service, Central Secretariat Service as well as all other services as stated in paragraphs 2.114 and 2.116 of the Report. Considering the fewer number of Scheduled Caste and Scheduled Tribe Officers in these services, the Committee cannot help concluding that the orders|instructions of the Ministry of Home Affairs regarding reservations made for Scheduled Castes and Scheduled Tribes in public services are not being implemented properly. They would, therefore, suggest that the position regarding the intake of Scheduled Caste and Scheduled Tribe candidates in public services should be kept under constant watch by the Institute of Manpower Research under the Ministry of Home Affairs as well as by the Planning Commission.
32.	2.118.	The Committee also feel that while sending their demands to the U.P.S.C. etc., the concerned Ministries|Departments should furnish to them a certificate certifying that the number of vacancies reserved for Scheduled Castes and Scheduled Tribes as mentioned in their requisition, is in accordance with the quota due for these communities.
33.	2.119.	The Committee also would like the Ministry of Home Affairs to consolidate the orders issued so far regarding the reservations for Scheduled Castes and Scheduled Tribes and publish the same in the form of a simple and self-contained brochure.

1	2	3
34.	2.120.	The Committee also feel that the Department of Social Welfare, which is the Department primarily meant for the welfare of Scheduled Castes and Scheduled Tribes has an important role to play in this respect. That Department should work in close collaboration with the Ministry of Home Affairs and the Director General of Employment and Training so that the shortfalls in recruitments can be rapidly made up.
35.	2.122.	The Committee consider that in view of the meagre representation of Scheduled Castes and Scheduled Tribes in public services, it is desirable to accord recognition to Unions|associations of Scheduled Castes and Scheduled Tribes which are of all-India character.
36.	3.2.	The Committee feel that with a view to make these Departmental Committees (promotion, selection, etc.) more representative, a Scheduled Caste|Tribe officer should also be included in each of these Committees set up by various Ministries|Departments|Offices.
37.	3.8.	The Committee note the orders issued by the Ministry of Home Affairs regarding reservations to be made for Scheduled Caste and Scheduled Tribe employees in promotions to be made by selection as also for filling up vacancies by Scheduled Caste and Scheduled Tribe employees. The Committee feel that the observations made by the Commissioner for Scheduled Castes and Scheduled Tribes in his Thirteenth Report (1963-64) (paras 20.4 20.5 and 20.6) merit close and careful consideration. They are of the opinion that the orders relating to the posts filled by promotion should be made applicable to all categories of posts and services.

1	2	3
38.	3.9.	The Commitee also agree with the recommendation made by the Commissioner for Scheduled Castes and Scheduled Tribes, in his Fifteenth Report (1965-66) that the field of Scheduled Tribes may be increased, from five to ten times of the vacancies to be filled so that they may have better chances of promotion to higher posts.
39.	3.14.	The Committee are unhappy to find that there have been a large number of cases of supersession of Scheduled Caste and Scheduled Tribe employees during the last two years. They are all the more unhappy to learn that in some cases, the details about supersessions were not reported to the concerned Minister|Deputy Minister, as required under the existing instructions issued by the Ministry of Home Affairs. The Committee would like the Ministry of Home Affairs to ensure that such lapses on the part of the Ministries|Departments, where supersessions take place, do not recur. They would further suggest that all supersessions made in each Ministry|Department, together with detailed reasons therefore, should be simultaneously reported to the Commissioner for Scheduled Castes and Scheduled Tribes as well as to the Ministry of Home Affairs.
40.	3.15.	The Committee Suggest that Government may examine whether there should be reservations for Scheduled Castes and Scheduled Tribes in appointments made by promotion on the basis of Seniority, subject to fitness.
41.	3.19.	The Committee are unhappy to note the poor intake of Scheduled Castes and Scheduled Tribes in public services in almost all the Union Territories|Administrations. They suggest that Government should take positive steps to increase

1	2	3
		the intake of Scheduled caste candidates against the vacancies reserved for Scheduled Tribes in those Union Territories|Administrations where adequate number of Scheduled Tribe Candidates is not available.
42.	3.20.	The Committee would also like the Ministry of Home Affairs to impress upon the Union Territories|Administrations to appoint Liaison Officers, if not already appointed, so that the service interests of the Scheduled Castes and Scheduled Tribes could be watched properly.
43.	3.28.	Having Considered the figures supplied by the Ministry of Home Affairs and the Department of Social Welfare regarding the number of *ex-cadre* posts being held by Scheduled Castes and noting that not a single Scheduled Tribe is holding such a post in either the Ministry of Home Affairs or the Department of Social Welfare, the Committee cannot but conclude that the instructions of the Ministry of Home Affairs, as mentioned in Para 3.25. of the Report, have had no impact in this behalf. The Committee feel that there should be no practical difficulty in providing for reservations for Scheduled Castes and Scheduled Tribes in the *ex-cadre* and deputation posts. Unless this is done, the Scheduled Castes and Scheduled Tribes will never get their due representation in such posts as the past experience has shown. The Committee, therefore, recommend that necessary reservations for Scheduled Castes and Scheduled Tribes should also be provided in the *ex-cadre* and deputation posts.

GMGIPND—LS I—3106(Aii) LS—31-1-70—1235.

© 1970 By Lok Sabha Secretariat

Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fifth Edition) and printed by the General Manager, Government of India Press, Minto Road, New Delhi